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U. S. Cong. HOUSE OF REPRESENTATIVES
COMMITTEE ON THE TERRITORIES

GOVERNMENT FOR ALASKA

STATEMENT OF
MR. FALCON JOSLIN
OF FAIRBANKS, ALASKA

MARCH 22, 1910

SIXTY-FIRST CONGRESS, SECOND SESSION

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GOVERNMENT FOR ALASKA.

STATEMENT OF MR. FALCON JOSLIN, OF FAIRBANKS, ALASKA.

The CHAIRMAN. How long have you resided at Fairbanks?

Mr. JOSLIN. Since 1904.

The CHAIRMAN. Are you a permanent resident of Alaska?

Mr. JOSLIN. Yes, sir.

The CHAIRMAN. Do you represent any corporate interests doing business in Alaska in appearing before this committee?

Mr. JOSLIN. No. I am president of the Tanana Valley Railroad Company, operating 45 miles of railroad at Fairbanks and vicinity.

The CHAIRMAN. Where does it run from and to?

Mr. JOSLIN. It runs from the head of navigation on the Tanana River into the mining districts adjacent.

The CHAIRMAN. Where is the head of navigation on the Tanana River, about?

Mr. JOSLIN. Well, it is a rather indefinite point; the road runs from Chena to Fairbanks, and then to the mines from a junction point about halfway between those two towns.

The CHAIRMAN. Is it a narrow-gauge road?

Mr. JOSLIN. Yes, sir.

The CHAIRMAN. Proceed.

Mr. JOSLIN. I represent no other interest; my company has no relation with any great company; its stockholders are scattered from Fairbanks to Paris, gathered together with great effort in New York, and I hope we are not very vicious. I appear here on the matter of the proposed legislative bill for Alaska. I have not prepared any definite address to make to the committee, so I would prefer to be interrogated as to facts rather than to attempt to make an argument, so I trust the members of the committee will ask me such questions as may suggest themselves to be put to me. The Territory of Alaska for the last two or three years, apparently, has been somewhat on the decline, certainly with reference to certain districts, and it has not been showing the progress that so great and rich a Territory should show. A part of the trouble is due to the difficulty about the laws relating to the Territory. There is a hopeless inability, apparently, to get a thorough understanding of the Territory by Congress. I heard yesterday a discussion here about the Hawaiian Islands, and a number of the gentlemen of the committee seemed to be quite familiar with it; they had been there and had been around the islands, because they are islands and you can get around them; but I doubt whether there is a single member of the committee or of the House that has any correct personal knowledge of Alaska or who can possibly give any

satisfactory first-hand information about the Territory to other members who may ask questions.

The CHAIRMAN. The reason why the members of this committee, many of them, are informed as to the conditions in Hawaii is because the Territory of Hawaii extended an invitation to certain members of the House to come there, and after they were there they made provisions for taking care of the visitors, and they made some provision for transportation from the homes of the Members to San Francisco, the Members paying their expenses from San Francisco to the islands and paying part of their expenses to San Francisco. The committee has not heretofore felt it ought to ask Congress to appropriate to send a committee to Alaska, although the need of a visit by some committee composed of Members of the House and of the Senate is perfectly apparent.

Mr. JOSLIN. A committee from the Senate took their lives in their hands some five or six years ago and did visit Alaska—they went through the Territory rather thoroughly; went through such portions of it as were accessible—and made recommendations with reference to it. Very few, if any, of those recommendations have been acted upon.

The CHAIRMAN. I want to say to you, and I presume you know it, that this committee has given a great deal of attention to Alaskan matters, and, theoretically, of course, are thoroughly well informed.

Mr. JOSLIN. I understand so, and have the best intentions in the world, and so has the entire body of Congress, without doubt, the best intentions in the world, absolutely free and disinterested; but owing to their lack of information as to the Territory they are unable to act, and that is very properly so. It is far better not to act than to act unwisely. And from the fact that the Territory is so far away and Congress has so little information about it, schemes are brought here to Congress that are not proper schemes at all for the development of the Territory; they are brought here by some private interest, and it is very proper that Congress should refuse to act upon them.

The CHAIRMAN. You believe in having a legislative assembly for Alaska?

Mr. JOSLIN. I do.

The CHAIRMAN. What kind of a legislative assembly do you believe in?

Mr. JOSLIN. To put it briefly and shortly, I believe there should be an assembly partly elective and partly appointive.

The CHAIRMAN. How large would you think would be desirable?

Mr. JOSLIN. I would not have a large assembly; it should not be over 9 or 12, or something of that sort; there should not be a large assembly, because it would be expensive.

The CHAIRMAN. How would you have the Territory divided for the purpose?

Mr. JOSLIN. There are four judicial districts, and an elective member from each district would be perfectly simple and would be perfectly sufficient, in my judgment.

The CHAIRMAN. How many would you have appointed?

Mr. JOSLIN. If there were 5 appointed, with the governor, it would seem to be an efficient body. The 5 members appointed to that assembly might be the heads of departments, so to speak, of the Territory. And in saying this, and in speaking in favor of a partly

elective and partly appointive legislative body, I do not want it to be understood that for a moment I doubt the ability of the people in Alaska to govern themselves.

The CHAIRMAN. I understand that thoroughly.

Mr. JOSLIN. I think they are just as able men to govern themselves as any people on the face of this earth; they are infinitely better able to govern themselves than many of the people of the United States in other communities, because they have a breadth by travel that inhabitants of the ordinary community in this country have not; they are a well-read people and very capable. I firmly believe in their ability to care for themselves, both as to their own affairs in Alaska and even to manage their foreign affairs. If this Government should withdraw all authority in Alaska, I believe they could establish a government there, make it a good one, and keep order.

The CHAIRMAN. You base that on the fact, I suppose, of the manner in which the mining camps were ruled in the past?

Mr. JOSLIN. Yes, sir; and there is an example of it in this: Previous to the discovery of the Klondike, which occurred in 1896, for some twelve years or more there were gathered together on the interior along the Yukon probably a hundred to five hundred American miners, some Canadians, some Englishmen. They were a cosmopolite mass, and there was no kind of government, not even a commissioner or justice of the peace, but they kept order, they drove out thieves and administered justice, and did not do it in a harsh manner either. Those pioneers lived there ten years and more before there was any governmental authority and showed that the people have the power to govern themselves without authority from anybody; it proved the theory on which this Government is organized, that government comes from the people upward and not from authority downward. Now, the people of Alaska, many of them, are very hostile to the idea of having a legislative assembly appointed. It is an anomaly. It is not representative. They have the inherent right of self-government; nobody, strictly speaking, has the power to deny them that right. I understand that it is the history of California that the people assembled and established their constitution without any authority from anybody. I think the same thing might be done in Alaska.

Mr. WICKERSHAM. The same thing happened in Oregon, did it not?

Mr. JOSLIN. Possibly. It is the inherent right which resides in Americans to govern themselves. It was never surrendered to the Federal Government or any other. Consequently when it is attempted to create an appointive government it should be done with considerable care, because they believe it infringes on their natural liberties. And yet, as I said, I would be very willing to see a majority of such a legislative council appointed rather than elected, because the Territory is very wide and there is quite a division of sentiment. There is a very strong sentiment in favor of entire self-government, and there is also a considerable sentiment, possibly nearly as strong, in favor of no legislative government at all there for a time, because the Territory is very extensive and the maintenance of a territorial government would cost money which must be raised by taxation.

The CHAIRMAN. Right in that connection I want to get your idea as to this: It has been stated before the committee that the resources of Alaska are not the exclusive possession of the people of Alaska, but belong to the whole people of the United States.

Mr. JOSLIN. I have not assented to that principle.

The CHAIRMAN. No, I am only asking this question of you.

Mr. JOSLIN. I think they do belong to the people of Alaska.

The CHAIRMAN. Exclusively?

Mr. JOSLIN. Yes, practically exclusively.

The CHAIRMAN. Well, it is asserted, as I said, that the resources of Alaska do not belong exclusively to Alaska but that the whole Government has an interest in the preservation and proper development of the natural resources of Alaska. Would you accede to that proposition?

Mr. JOSLIN. Oh, yes. I think the Government is in possession, as trustee, with reference to Alaska, and with reference to any other public domain, and should administer it for the benefit, first, of the people who have had the enterprise to go and develop it, and, secondly, for those who may hereafter desire to go there; but to hold it or develop it for the profit of those who have not the enterprise to go there is wrong, wrong in principle.

The CHAIRMAN. Now, assuming that is true, that the Government is a trustee, and that the resources of Alaska should be so administered as to inure not only to the benefit of the whole people, but to the benefit of the people of Alaska, it is urged that the Government ought, in the establishment of a legislative form of government for Alaska, to retain certain direct power of intervention and supervision. What do you say about that?

Mr. JOSLIN. I think so; undoubtedly there should be a veto power, for one thing because it is conventional. I do not for a moment believe that Congress would pass any wiser laws for the development of the Territory than the people there would, but obviously Congress should retain its sovereignty over the Territory and afford it protection.

The CHAIRMAN. What I mean is that in the establishment of a legislative body for Alaska it is urged that the Federal Government should exercise a control in order to extend its power through a portion—some urge the whole legislative body and others, as you suggest, urge the accomplishment of this purpose through a part of the legislative body; but it is urged that the Federal Government should exercise a power of regulation and control directly through the whole or a part of that legislative body.

Mr. JOSLIN. I have asserted, I believe, it should retain control over the majority of such legislative council and for the reasons I have explained before. The powers that are proposed to be given the legislative council under this bill, and the utmost powers we can hope may be given to any legislative council, are extremely limited; therefore the great body of power that will affect the territory remains in Congress, and Congress should have somebody upon whose advice they can rely in passing other laws than this council will have power to pass. If this council is appointed through the power of the Federal Government, or if a majority of it should be appointed by the Federal Government, then naturally the advice of that legislative council on subjects relating to Alaska which they themselves can not legislate on should be taken by Congress. It would be the advice of those in whom they have confidence. And for that reason I think a majority of the council should be appointive.

Mr. WICKERSHAM. You understand the constitutional rule to be that Congress has plenary power over a Territory?

Mr. JOSLIN. I understand that to be the interpretation of the Supreme Court and that it is the law.

Mr. WICKERSHAM. You understand also that Congress can not abdicate that power?

Mr. JOSLIN. Oh, yes.

Mr. WICKERSHAM. So that whatever a territorial legislature would do in Alaska would be subject to the control of Congress?

Mr. JOSLIN. Oh, yes.

Mr. WICKERSHAM. And that any law which a legislature in Alaska might pass could be disapproved by Congress?

Mr. JOSLIN. Yes; Congress can establish a legislature there and dissolve it, if they saw fit.

Mr. WICKERSHAM. Your idea that there shall be an appointive legislative council proceeds upon the theory that you think Congress would have more confidence in those men than in elected men?

The CHAIRMAN. He said appointed in part.

Mr. WICKERSHAM. He made the point that Congress would have confidence in those that were appointed.

The CHAIRMAN. He qualified that.

Mr. WICKERSHAM. I didn't understand him to do so.

The CHAIRMAN. I am very much interested in these views and I want him to have a fair opportunity to make that clear.

Mr. WICKERSHAM. You are a lawyer?

Mr. JOSLIN. I used to practice law.

Mr. WICKERSHAM. He is a lawyer and is able to take care of himself. I understood you to say that in your judgment Congress would have more confidence in the appointive members of that legislature than in the elected members?

Mr. JOSLIN. I did not mean to differentiate Congress from the Federal Government, and by the Federal Government I mean the administration that appoints these men, and whose advice and recommendations to Congress are highly influential in securing legislation.

Mr. WICKERSHAM. You know we have had a great many appointments made by the Federal Government up there that nobody would have any confidence in, don't you?

Mr. JOSLIN. Some of them have been very bad indeed; one of the very worst things has been the bad selection of officials there.

Mr. WICKERSHAM. Who has made those selections?

Mr. JOSLIN. They have been made by the administration here at Washington, of course.

Mr. WICKERSHAM. Made by the President and confirmed by the Senate, the very power that would have the appointment and confirmation of these members of the legislature that you talk about?

Mr. JOSLIN. That is true, but they have not been legislative members, of course; they have been judicial or executive officers.

Mr. WICKERSHAM. Judge Noyes was district judge?

Mr. JOSLIN. Yes.

Mr. WICKERSHAM. Judge Reed was district judge?

Mr. JOSLIN. Yes.

Mr. WICKERSHAM. And a great many more of us who have not been satisfactory up there have been appointed by the President, have we not?

Mr. JOSLIN. Yes.

Mr. COLE. Are the present officials satisfactory?

Mr. JOSLIN. Some of them are and some are not.

Mr. WICKERSHAM. It is a case of a new broom.

Mr. JOSLIN. We have officials, appointed a year ago, who are proving universally satisfactory, the first that we have had that have been really good judges satisfactory appointments; I won't say the first good judges, of course, but they are a good set of officials, so far as they go; the new officials do not cover the entire Territory.

Mr. WICKERSHAM. Some of the appointive members of the present territorial government are being fought here now?

Mr. JOSLIN. Yes.

Mr. WICKERSHAM. Mr. Fink is here fighting the district attorney at Nome, isn't he?

Mr. JOSLIN. I understand he is.

Mr. WICKERSHAM. Don't you know that there are other gentlemen here fighting other appointive members of the government of Alaska?

Mr. JOSLIN. I don't know; possibly there are.

The CHAIRMAN. You have heard that gentlemen residing in the States and other Territories have, from time to time, been opposed to certain federal appointments, have you not?

Mr. JOSLIN. Yes, sir. There never will be a time when we will get perfection in appointments, I presume.

Mr. WICKERSHAM. Did you ever live in a Territory before you went to Alaska?

Mr. JOSLIN. No.

Mr. WICKERSHAM. You know the history of Washington, Oregon, Arizona, New Mexico, and the other Territories reasonably well, I presume?

Mr. JOSLIN. Some.

Mr. WICKERSHAM. Did you ever hear of anything like the difficulty with respect to the elected members of the legislature in any of those Territories that we have had with respect to the appointive members of the Government in Alaska?

Mr. JOSLIN. I do not know that I can recall. It is perfectly common knowledge, however, that elected members of legislatures in Territories, as well as in the States, are frequently corrupt. We have some very sorrowful examples of that corruption now in one of the greatest States in this nation.

Mr. WICKERSHAM. You have not lost your confidence in the American people electing good men, have you?

Mr. JOSLIN. Certainly not, not in the main.

Mr. WICKERSHAM. Don't you think they will do it in Alaska?

Mr. JOSLIN. I think so; I think they will elect as good men, probably, as the average legislature in any State or Territory.

Mr. WICKERSHAM. Let me ask this question: Is your suggestion that this legislature in Alaska be partly appointive and partly elective, one of principle or one of expediency?

Mr. JOSLIN. Expediency, purely expediency. In principle they are entitled to have their own government, and nobody can deny that, because they carry the principle, every white man carries the principle of self-government with him. I know that Congress—and the courts have so held—has absolute sovereignty and unlimited power over the Territory, but not over the men who have the right to govern

themselves. That has been recognized again and again; this Government was established on that principle.

Mr. WICKERSHAM. Now, approving that principle in respect to Alaska, what is the fact upon which you base the necessity for that expediency?

Mr. JOSLIN. Heretofore there has been no lawmaking power in the Territory; this is the first experiment. I believe that in time this partly appointive and partly elective council would evolve into a wholly elective legislative council. But for the present, because there is very considerable opposition to any kind of legislative council in Alaska, I would think the council should be partly appointive and partly elective.

Mr. WICKERSHAM. You say there is opposition to it?

Mr. JOSLIN. Yes.

Mr. WICKERSHAM. From what quarter?

Mr. JOSLIN. I don't know. The ex-governor of Alaska is opposed to any kind of legislative assembly.

Mr. WICKERSHAM. You know that all the candidates that ran for Delegate in 1908 ran upon a platform pledging themselves to secure an elective government, don't you?

Mr. JOSLIN. They did; but one of them, however, was supposed to be—and I have no doubt it was correct—very lukewarm on that point, although he put it in his platform to gain votes; the majority of the people are unquestionably in favor of their own government.

Mr. WICKERSHAM. Do you know of a vote that was not cast in favor of an elective form of government in Alaska?

Mr. JOSLIN. The regular Republican nominee announced that the form of government he favored was that established in the Northwest Territories in the United States a hundred years ago, which was an appointive council, as I understand.

Mr. WICKERSHAM. Wasn't that until they had 5,000 people?

Mr. JOSLIN. I am not familiar with that ordinance of 1789, or whenever it was.

Mr. WICKERSHAM. You know the platform I ran upon?

Mr. JOSLIN. Oh, yes.

Mr. WICKERSHAM. You know I was pledged to secure an elective legislature, do you not?

Mr. JOSLIN. Decidedly.

Mr. WICKERSHAM. And you know me well enough to know I am going to try to do it?

Mr. JOSLIN. I suppose so. I know I supported you, but I didn't support your idea for a double-headed legislature—that is, a two-body legislature—not that I do not believe the people there are able to establish such a legislature, but I do not believe in the principle of the two-house legislature.

Mr. WICKERSHAM. We have talked about the matter, and I have said to you that I had no pride in that particular portion of my bill?

Mr. JOSLIN. Yes.

Mr. WICKERSHAM. That if we could get a single house I would be entirely satisfied with it?

Mr. JOSLIN. Yes; quite so.

Mr. WICKERSHAM. So we do not disagree on that at all.

The CHAIRMAN. Then, Judge Wickersham, you and Mr. Joslin agree that you could agree on a one-house legislature?

Mr. WICKERSHAM. Yes; if it was elective.

The CHAIRMAN. The only difference between you and Mr. Joslin now is that you advocate that this one-house legislature shall be wholly elective by the people, whereas he believes that a part of the members of that one-house legislature should be appointive?

Mr. WICKERSHAM. No; Mr. Joslin does not believe that; he says—

The CHAIRMAN. Well, let him explain.

Mr. JOSLIN. I just said what I believe, that at this juncture, at this situation, we ought to have a legislature of that kind on the ground of expediency.

The CHAIRMAN. Now, I want to ask you about the population of Alaska. It has been stated that the population of Alaska has diminished.

Mr. JOSLIN. I want to say just a few words before I go to the population subject. Alaska is so far detached from the United States and so inaccessible, and its different districts are so different from each other, that it is almost hopeless that we should get any legislation from Congress suitable to us. The Territory being in that position, being practically a thousand miles from the nearest port, should have a greater degree of autonomy than any Territory within this nation. A Territory within the nation is surrounded by other States or Territories and their representatives are here before Congress, and the conditions can be better understood than they ever can be as to Alaska.

The CHAIRMAN. Do you think you ought to have a greater autonomy than Hawaii?

Mr. JOSLIN. Yes, sir; it should be greater than the Philippines or Porto Rico.

The CHAIRMAN. I said Hawaii, because Hawaii is a Territory.

Mr. JOSLIN. Just so; I think Alaska should have a greater degree of autonomy than any of those people, because its people are white people, and because their conditions are so very different from the rest of the nation. The wants and needs of a Territory so far from the seat of Government can never be properly understood. England has been obliged to give Canada and Australia complete autonomy for this reason. Another reason why it should have greater autonomy than any of these Territories is that it is bigger than all of them combined. The Philippines have practically 125,000 square miles; if you added to it Hawaii, Porto Rico, the Isthmian Canal Zone, you could still add Texas and New York and not reach the size of Alaska. It is equally great in resources as it is ahead in size.

The CHAIRMAN. Roughly speaking, I have understood that Alaska is, in size, about as large as that part of the country lying east of the Mississippi River, less the New England States.

Mr. JOSLIN. Possibly that is correct.

The CHAIRMAN. Five hundred and eighty-six thousand square miles.

Mr. JOSLIN. A little less than 600,000 square miles. The Philippines have 125,000 square miles.

The CHAIRMAN. Your population is in bunches?

Mr. JOSLIN. Yes.

The CHAIRMAN. You have a city at Nome, a city at Fairbanks, a city at Valdez, Juneau, Ketchikan, Skagway, Douglas, Cordova, Sitka, Haines; and Gibbon, and a small town at Seward?

Mr. JOSLIN. Yes.

The CHAIRMAN. Now, vast space intervenes between these points?

Mr. JOSLIN. Certainly. Now, there is one striking fact about all those towns; they are on navigable waters, every one of them. Now, I can make an interesting comparison between the eastern portion of the United States that the chairman has mentioned. We will take ourselves back, for comparison, a hundred and fifty years. When ships came to the Atlantic coast they would land at points along the coast, such as New York, Baltimore, and New Orleans. Then you could go up the Mississippi and Ohio rivers and other rivers. Now, if you would take 30,000 or 50,000 people and assume them to be scattered in settlements along the coast and rivers in that way, you would have a comparative illustration of what Alaska is to-day. The government wagon road from Valdez to Fairbanks would compare with a wagon road from New York to the headwaters of the Ohio River, in distance and in importance. That is where we stand in reference to development. There is no way of getting into the greatest part of Alaska except afoot.

Mr. WICKERSHAM. Do you remember the day of the last election in Alaska?

Mr. JOSLIN. Yes.

Mr. WICKERSHAM. The 11th day of August. What time of the evening did you know the results?

Mr. JOSLIN. We knew before 8 o'clock, because the settlements are connected by the government cable and land military telegraph lines—every one of those towns.

Mr. COLE. What percentage of your population is permanent?

Mr. JOSLIN. The settlements at Juneau and Douglas, which are splendid towns, have two or three thousand each; they have been there for twenty years. The settlement of Ketchikan I have seen grow, as I would go up and down there, from one or two cabins to a population of two or three thousand. Of course placer districts are not so permanent. The Nome district has declined very greatly because the hand mining does not last so long. In placer mining a man can work with his hands with pick and shovel, and the hand mining does not last more than five or ten years; thirteen years was about the time hand mining lasted in California; at the end of that time the boom days are over and a large portion of the placer population go away to seek other places, and there is a change from one method of mining to another. In California, in 1849, gold was discovered, and for about twelve years there was hand mining there; during that twelve years from three to four hundred thousand people went to California and the gold production ran up to \$80,000,000 per year. Then it declined, and about 1862 it was about \$25,000,000 per year. After 1862 the hand mining was over, but the gold production has gone steadily on and has averaged about \$18,000,000 per year for the last forty-odd years.

Mr. WICKERSHAM. What will be the situation in Alaska?

Mr. JOSLIN. The Nome district, for instance, you might say is depleted as far as hand mining is concerned, and a large portion of the population there has gone away.

Mr. COLE. Do you think it will return?

Mr. JOSLIN. The corporate mining will continue for a hundred years, probably more—I dare say for two hundred years. The



the chief of the agricultural department of Alaska that makes me believe the Tanana Valley is a far better valley than the Susitna valley. The Susitna Valley runs southward along the sea. The moist currents that come up from the sea cause a summer frost, and many crops would be killed by reason of the frost. The Tanana Valley lies behind the coast range, and the Alaska range, too, and is protected from those moist winds that come up from the sea.

Mr. WICKERSHAM. The Tanana Valley is very low?

Mr. JOSLIN. It is very low.

Mr. WICKERSHAM. The elevation is approximately some 500 feet at Fairbanks.

Mr. JOSLIN. To show you how little Alaska has developed, I might speak of the Kuskokwim Valley, which, I think, may be the best valley, agriculturally, in Alaska. It is a valley nearly as big as the Ohio. It lays more to the southward than Tanana, and I haven't the slightest doubt from reports that have been brought to me that it has a milder climate than the Tanana and is more fertile.

The CHAIRMAN. Have any mineral deposits been found there?

Mr. JOSLIN. Not to any extent, although there was a discovery reported a short time ago. If that proves to be all right, four or five thousand people probably will go there at once.

The CHAIRMAN. You have a population, then, of about 10,000 people who move back and forth over the area of Alaska, attracted by the various gold strikes?

Mr. JOSLIN. Yes. A certain portion of the population may be called floating.

The CHAIRMAN. To that extent it is a shifting population in relation to Alaska itself?

Mr. JOSLIN. Yes, sir.

The CHAIRMAN. And if a large strike should be made outside of the boundaries of Alaska you would lose—

Mr. JOSLIN. A considerable portion of those people.

The CHAIRMAN. Of those 10,000 people?

Mr. JOSLIN. Yes. It is not a fixed body. They are constantly changing. Some make fortunes and settle down others come in.

The CHAIRMAN. But you say you do have a permanent element?

Mr. JOSLIN. Yes.

The CHAIRMAN. Now, what makes that element permanent, outside of the southeastern part of Alaska?

Mr. JOSLIN. Well, in the Nome district, of course, there is a permanent population there which would be engaged in working those mines for an indefinite period; not a large population, however.

The CHAIRMAN. They would be men employed by corporations engaged in mining?

Mr. JOSLIN. Yes; the men engaged in the management of the corporations' affairs and the men employed in the mines and mills. And there will always be a settlement there—there will never be a time when that place will be vacant, never. Now, in Tanana there is a very different condition; the hand mining is rapidly coming to an end. The corporate mining period has not yet begun, has scarcely begun, but the difference in Tanana is that agriculture has begun there.

The CHAIRMAN. What is the largest farm in the Tanana Valley?

Mr. JOSLIN. I presume——

The CHAIRMAN. As to acreage?

Mr. JOSLIN. About 140 to 150 acres; probably two or three farms have that acreage.

The CHAIRMAN. Under cultivation?

Mr. JOSLIN. Yes, sir.

The CHAIRMAN. What do they raise?

Mr. JOSLIN. Potatoes, barley, oats, cabbage, carrots, etc.

The CHAIRMAN. What was the largest acreage of oats on any farm in Alaska during the last season?

Mr. JOSLIN. The largest single tract? Well, there were 8 acres of oats raised by a man who came there in April, cleared his ground, sowed his oats in May, and was able to sell them for over \$100 an acre in August, as they grew in the field. Now, obviously, that is going to attract more men.

The CHAIRMAN. What is the largest acreage of wheat that you know of in Alaska?

Mr. JOSLIN. There has been so far only experimenting in wheat. Mr. Young, who has a farm just across the river from Fairbanks, planted 6 acres in wheat in August last. By experiment he had discovered that by sowing his wheat in September it didn't get started early enough to stand the frost when the cold weather came on, so he planted his wheat earlier and let it get started so that when the snow came it would stand the winter. So he planted it in August; it grew up until it covered ground; and was a beautiful sight to look at in that wide expanse of uncleared country.

Mr. WICKERSHAM. How much land did he have under cultivation himself?

Mr. JOSLIN. Probably 100 acres in oats, wheat, rye, and barley.

Mr. COLE. Has the Government an experiment station there?

Mr. JOSLIN. Four or five miles to the westward they have; but it has not been able to do very much; they are just getting their ground cleared.

The CHAIRMAN. What is the largest single acreage of potatoes you know of in the last season?

Mr. JOSLIN. This man Young had, I suppose, 20 acres. One tract produced 11 tons per acre.

The CHAIRMAN. They were fine potatoes?

Mr. JOSLIN. Yes. There was a tract of land at Hot Springs—I took a memorandum of it and put it in my book, but I find I can not turn to it readily—but I think he had probably 40 acres.

The CHAIRMAN. What kind of cabbage do they grow there?

Mr. JOSLIN. The finest imaginable; all vegetables are of superlative quality, probably because they grow all the time.

The CHAIRMAN. Have you had any occasion to compare agricultural possibilities with agriculture in Finland?

Mr. JOSLIN. Yes; we have every reason to believe our country is fully as good as Finland. Recently I sent to Finland to get seeds to distribute among the farmers in the Tanana Valley. I hope to get them on the next steamer. That is one of the things that has held back the development. This man Young told me that he had to pay outrageous prices in freight for seed. The wheat he sowed was wheat that came from the State of Washington; it was spring wheat, and it had to adapt itself for two or three generations to the conditions of winter wheat, which it did.

Mr. COLE. Do you have to irrigate?

Mr. JOSLIN. No, sir.

Mr. COLE. Why?

Mr. JOSLIN. Well, the country is fairly well watered in summer; there is a rainy season which begins about the 1st of July, and it runs quite well into September, but there is also a ground moisture that undoubtedly helps the crops.

Mr. WICKERSHAM. Where does that ground moisture come from?

Mr. JOSLIN. Up from below; there is no end to the primeval frost as yet.

The CHAIRMAN. How deep does your ground thaw out in the summer season?

Mr. JOSLIN. When it is cultivated I presume it will thaw 3 or 4 feet.

The CHAIRMAN. And below that lies this primeval frost?

Mr. JOSLIN. Yes. It is possible that in the course of time, and after long cultivation, that frost will entirely leave the ground. I do not think that frost remains there because of the severity of the climate, because the climate is not any more severe than in Minnesota, but I believe it stays there because there is a blanket of moss which protects it; it is protected wherever that moss is. I found that out in working on our railroad. Wherever we removed the moss the ground thawed at once, and we soon discovered that by taking the moss off it would cause us an expense of thousands of dollars per mile, because of the necessity for filling in the holes that were made by the thawing; wherever the moss was taken away it thawed and left a hole, so that we left the moss unbroken on the grade and made the ditches on the side wide apart, which drained the roadbed.

Mr. WICKERSHAM. What have you to say about quartz mining?

Mr. JOSLIN. Nearly always the quartz mining or ledge mining follows the placer mining, because the placers are supposed to be, and undoubtedly are, the disintegration of the quartz ledges or rock ledges in the vicinity, and quartz mines are developed in the same places where placer mines occur.

The CHAIRMAN. What do you think ought to be done with the coal fields of Alaska? I refer to the Bering River coal field and the Matanuska coal field.

Mr. JOSLIN. They ought to be opened.

The CHAIRMAN. I am aware that the subject has been considerably discussed lately.

Mr. JOSLIN. I think the action of Congress, or the inaction, on that matter is the best illustration that we need a territorial legislature. Ten years ago, in 1900, Congress passed an act permitting coal to be taken up in Alaska. That act is an illustration of how little information Congress had on the subject. That act simply provided that the coal-land laws of the United States should apply to Alaska, and that referred to surveyed lands; now, there were no surveyed lands, and the act was ineffectual just as if it had not been passed. Three times since that time—1904, 1906, and 1908—Congress has legislated as to the coal land, but nothing has been accomplished as yet, and nobody can get any coal in Alaska.

Mr. WICKERSHAM. It is a trespass to take it?

Mr. JOSLIN. Yes; you become a trespasser if you undertake to take it. A man found some coal lands along my line and wanted to locate

it. I went over to our lawyer and he looked up the law and told me it could not be taken up, that the President had set aside the law permitting coal to be located. Such things as that make us indignant. Coal is needed there. We are spending about \$20,000 a year for fuel; we use wood.

The CHAIRMAN. Now, the public is led to believe that if these coal fields were opened by law they would immediately fall into the hands of certain special interests?

Mr. JOSLIN. I have no patience with that idea. I do not think for a minute that the law should permit the assembling of great tracts of coal land, say thirty or forty thousand acres in one ownership; but permit a man to get not too large tracts of coal land and give him permission to take the coal off; that would be a different matter.

Mr. WICKERSHAM. Don't you think the present law permitting the consolidation of 2,560 acres is sufficient?

Mr. JOSLIN. It would be if effectual, but the law as it is now is ineffectual. It provides that you can group 2,560 acres, on condition, however, that if the owners should form a combination in restraint of trade—in other words, should commit a misdemeanor—then the title would be forfeited, and that forfeiture clause shall be written in the patent. It destroys the value of the patent. It is an attempt to enforce a criminal law by making the misdemeanor act as a confiscation of the whole property.

Mr. WICKERSHAM. How would you restrain a monopoly of the coal lands?

Mr. JOSLIN. I think there is a perfectly simple way of restraining such a matter. Allow the grouping of enough of the 160-acre units to justify opening a mine. Then make it a penal offense for any one owner to acquire another group or a larger tract, but do not make it a forfeiture. The present act, the present coal law, permits locations to be made in 160-acre units; that is a good law as far as it goes, because it gives these pioneers and enterprising men the right to go up there and take a piece of land that size, but it is very obvious that a man can not develop a coal mine on 160 acres of coal land, because it would be too costly; a man can not mine coal with a pick and shovel the same as he does gold; 160 acres is too small a location. The law should permit these 160-acre units to be grouped. It is now prohibited except with that forfeiture clause. I really think a group of 2,640 acres is too small. I think it should be at least 5,000 acres. Opening a coal mine is very expensive. It certainly should not be 40,000 acres, because that would be in the nature of a monopoly.

Mr. COLE. Do you mean to say that residents up there are not permitted to mine coal for their own use?

Mr. JOSLIN. No, sir.

Mr. COLE. That it amounts to a trespass?

Mr. JOSLIN. A trespass on public land.

The CHAIRMAN. What do you say as to whether a locator should be permitted to have the title to the coal lands or not?

Mr. JOSLIN. He certainly ought to have the title. This principle of leasing these coal lands is most vicious; it is absolutely hostile to every principle of liberty; it proposes to make the Government a landlord and the citizen a tenant instead of a freeholder. It is a return to the feudal system.

Mr. COLE. You think 5,000 acres would be enough?

Mr. JOSLIN. I think that would be enough, but that would be small enough. The leasing system, to my mind, is all wrong. We had some experience under both systems in the Canadian Yukon. I acquired 400 acres of coal land near Dawson by purchase from the Canadian government at \$10 an acre. There was apparently a fine seam of coal and I thought it would be profitable to mine it. I put in my own money and got others to put in money, \$200,000 and more, and every cent of it was lost. I applied for several hundred acres additional of coal land in order to justify the building of 12 miles of railroad, which was necessary to develop it, and make it worth while to put in the necessary bunkers, and so forth. After my application had been made for the additional land the Canadian government conceived the same idea that is proposed now, of withholding the title, and leasing the land. I had my application in before they changed the law and wanted the fee-simple title, but they decided they had the right to change the law and I must take the additional land under lease, if at all. I wouldn't have taken it at all, except we had already bought the 400 acres and had too much money in to drop it.

At first the amount of the royalty was not fixed, but the regulation provided that the royalty should be whatever the governor in council should see fit to make it from time to time. They could fix the royalty at 1 cent a ton or fix it at \$10 a ton. It was indefinite, and a lease under such terms was no title at all—a mere license. I went to Ottawa, and after arguing the matter they fixed the royalty at 10 cents a ton for ten years, and thereafter it was to be at such rate as the government might see fit to make. It was simply a ten-year lease that I was to have, and I was forced to take the additional lands at that royalty. We would never have undertaken the development of the mine if that had been the law when we started. I didn't believe in that principle at all. I believe in the fee-simple title. Whatever royalty would be imposed on the coal, whether it be 10 cents a ton or 50 cents a ton, when one came to sell it he would have to add the royalty to the price of the coal and the people who used the coal would pay it. Reserving a royalty on coal for the National Government is simply another form of taxation. The people in Alaska now pay the internal-revenue tax on tobacco, whisky, etc., amounting to sixty or seventy thousand dollars a year. Leasing coal land would simply be making fuel another commodity for internal-revenue taxation.

Mr. WICKERSHAM. We pay a tax now on wood?

Mr. JOSLIN. We pay what amounts to an internal-revenue tax on wood now amounting to approximately \$25,000 a year on the wood we use. It is a tax not fixed by act of Congress, but by a bureau chief to whom apparently has been delegated the power of taxation on the fuel supply in Alaska.

The CHAIRMAN. And if the mine owner has a monopoly he has the power of taxation?

Mr. JOSLIN. That is very true.

The CHAIRMAN. Except in the one case he would have a reason for adding the 10 cents per ton?

Mr. JOSLIN. He could assert that as a reason for increasing the price.

The CHAIRMAN. You are a practical man and you have been a coal miner, among the other industries with which you are familiar. Now, what do you think is the value of the coal in the ground in the Bering River coal field?

Mr. JOSLIN. Well, it would be so small I would hate to try to estimate it. Its actual present value as it lays is nothing. It is not usable without transportation. It has some potential value. I can give you some excellent comparisons in that respect. There has been a lot of loose talk that the coal in Alaska is worth more than 50 cents per ton in the ground. It is actually worth nothing, valuing the coal at so much per ton in the ground. A magazine article published the other day estimates the coal in Alaska as worth \$15,000,000,000,000. That is fourteen times the assessed value of all the property of every kind in the United States and five times the estimated value of all the property in the world. There is nothing more preposterous and absurd than such an estimate.

The CHAIRMAN. Do you refer to the article written by—

Mr. JOSLIN. I refer to the article in Hampton's Magazine, in which the writer estimates the value of the coal in Alaska at \$15,000,000,000,000.

Mr. WICKERSHAM. Don't you think that was based on a statement made by Stephen Birch, managing director of the Guggenheim interests?

Mr. JOSLIN. I don't know.

The CHAIRMAN. You are a thinking, reading man; a man of large industrial experience; you are a lawyer by profession; you own a railroad, and you know about coal. I wish you would tell us what you think the coal in the Bering River coal field is worth per ton in the ground.

Mr. JOSLIN. It wouldn't be worth one-half of 1 cent a ton in the ground. I can illustrate it better by comparison. Ten dollars per acre for the coal land in Alaska is a good price, more in my judgment than it is worth.

The CHAIRMAN. Why?

Mr. JOSLIN. Because it is not marketable, except in a very limited area. It is too far from markets. I will illustrate it in this way: It is perfectly evident that coal in Alaska would never be sold in New York and it is perfectly evident it can never be sold in Chicago.

Mr. WICKERSHAM. Pocahontas coal is sold in Alaska.

Mr. JOSLIN. Yes; but practically speaking, the Alaskan coal is not salable on the Atlantic coast and never will be, and it is a grave question whether it would be salable on the west coast, outside of Alaska. It would have to be hauled 1,200 miles to Seattle and 2,000 miles to San Francisco, and there compete with local coals and oil.

The CHAIRMAN. It is said that there is no coal on the Pacific coast except in British Columbia and Alaska.

Mr. JOSLIN. That is a very grave mistake, because there is coal along the coast of British Columbia, at Seattle and at Bellingham, at tide water in many places. There is coal in Australia and Japan. Australian coal is brought to San Francisco. The Japanese coal also is sold there.

The CHAIRMAN. Is it of high grade?

Mr. JOSLIN. I understand it is not, but the Japanese navy uses it; I suppose it is soft coal.

The CHAIRMAN. It is said there is hard coal in this Bering River field.

Mr. JOSLIN. Yes, sir. I was offered the other day 5,000,000 acres of coal land in West Virginia, with 3 railroads already built crossing the tract, high-grade, Pocahontas coal, the best steaming coal in the country, at \$100 per acre. I am informed the maximum price for the very best West Virginia coal land is \$125 per acre. Not over sixty days ago a man came to me and asked my assistance in financing the purchase of 60,000 acres of coal land in Tennessee, along the line of the Cincinnati Southern Railway with a fee-simple title to the land, at \$10 per acre. The land was also said to contain a great quantity of hard wood and first-class bituminous and coking coal. Now, if that coal in Tennessee, with railroad facilities, within hauling distance of a market of thirty or forty million people, is only worth \$10 an acre, if Pocahontas coal so near the great markets is only worth \$100 an acre, how absurd to claim that Alaska coal is worth any great big price, such as 50 cents per ton in the ground or \$5,000 an acre or any such preposterous sum as that suggested by the magazine writer. Ten dollars an acre is a high price for Alaskan coal land. As topaying a royalty on it, anybody that would have the courage to open a coal mine in Alaska ought to be paid a royalty for doing it.

The CHAIRMAN. What is the estimated tonnage per acre in this Bering River field?

Mr. JOSLIN. I do not know; they claim ten or fifteen thousand tons; there is no correct estimate possible; usually there are four or five seams one above the other, in a coal field, and it is impossible to make any correct estimate until shafts have gone to the bottom, and even then it is only the very roughest kind of an estimate. I suppose five or ten thousand tons per acre would be a rough estimate in an ordinary field. Then, you know, so much depends upon the crushed condition. In the Yukon territory I found that 75 per cent of the coal was crushed and was absolutely worthless. I saw coal seams there 6, 7, and 8 feet thick, that looked perfectly secure, and when I drove into it I found that it had been shaken up by disturbances of the earth's crust in such a way that it was very badly crushed. I understand the same condition exists in the Bering River field to a large extent.

The CHAIRMAN. Is that crushed coal useless?

Mr. JOSLIN. Yes. If the crushed coal could be brought to the large cities it could be used in the power plants. I understand such coal or screenings is sold for \$1.50 a ton to the power plants in New York City.

Mr. WICKERSHAM. Do you know that that condition exists?

Mr. JOSLIN. No; excepting the Geological Survey reports that the field is badly crushed and it is doubtful whether that crushed coal can be shipped, whether it can be sold.

I was attempting to illustrate how difficult it would be to market that coal. It is said the navy uses 300,000 or 400,000 tons of coal on the Pacific coast. They require high-grade coal. Aside from that market and the people who live in the immediate vicinity, I do not believe there is any large market for Alaska coal. Transportation of the coal is a controlling factor in it. Coal that sells in New York for \$6 a ton, probably \$5.94 of it is transportation and labor, and it is

the same everywhere. I know of a tract of land sold near Seattle within a year, with a railroad built to it, bunkers on it, good seams of coal all proved, and first-rate quality of soft coal, at \$100 per acre, and that within 50 miles of a city of 300,000 people.

Mr. COLE. Ohio coal sells at \$1 a ton at the mine.

Mr. JOSLIN. Yes; the cost of the labor, I suppose, the cost of mining it, is 75 cents, and the rest must cover profit and interest on the investment. The margin of profit on mining coal is extremely narrow, as I discovered to my very severe cost. It is a commodity that must be handled in vast quantity to be profitable.

The CHAIRMAN (to Mr. McKinney). Do you know what Illinois coal sells for?

Mr. MCKINNEY. No; but I believe about \$1.25.

Mr. LANGHAM. The Pennsylvania coal sells at \$1 at the mine.

Mr. MCKINNEY. What does the coal sell for in Alaska?

Mr. JOSLIN. From \$12 to \$15 a ton, generally speaking.

Mr. WICKERSHAM. And as high as \$20?

Mr. JOSLIN. Yes. We have a community at Fairbanks of twelve or fifteen thousand people who could use, say, 30,000 tons of coal in a year. There are great coal fields within 60 miles, possibly nearer. I have figured very carefully with an idea of opening a mine there and building a railroad to it. The coal could be sold at \$15 per ton, but the market is very limited. There is not population enough and the business would be hazardous, but right on the threshold one is confronted with the impossibility of getting title to the land. This prevents all efforts at opening it up. There are plans considered to put power plants at the coal mine and transmit and sell electric power. It would be of importance in the development of the country.

Mr. WICKERSHAM. What do they have to pay for wood in Fairbanks?

Mr. JOSLIN. I pay \$9 a cord for wood in quantity, in thousand-cord lots for the railroad.

Mr. COLE. Four-foot wood?

Mr. JOSLIN. No; 2-foot wood; 4-foot wood is \$8 a cord in thousand-cord lots; at some places it is \$12 and \$13 a cord; it depends on how near you are to the wood supply.

Mr. MCKINNEY. What kind of wood is that?

Mr. JOSLIN. Spruce and birch; the spruce is soft and the birch is hard.

Mr. WICKERSHAM. In your judgment, can the quartz mines on the south of the Tanana Valley be opened up unless the coal field is opened up first?

Mr. JOSLIN. Yes; they could be; but certainly that coal is highly important—it would be useful.

Mr. WICKERSHAM. Wouldn't it greatly retard the development of that quartz mining in fact?

Mr. JOSLIN. It has already retarded it. A body of capitalists of Chicago wrote me to confer with them about developing that coal field two years ago; as soon as they looked into the title they would not proceed—there was no way of getting any satisfactory title to the land. If they could have gotten title to it there would have been much capital spent there and employment for a lot of people. It would have opened up that industry and would have made cheaper power for the development of these quartz and other mines and industries. The coal is worthless as it lies there.

Mr. WICKERSHAM. And it would aid the permanent population of the country?

Mr. JOSLIN. Yes, sir. You might compare the value of the coal in Alaska to the ice that lies in the glaciers beside it. Ice from the Hudson River is sold in New York City at \$3 a ton wholesale; I was told it costs \$1.75 per ton to harvest and deliver it, making a profit of \$1.25 per ton for Hudson River ice. Now, Alaska ice is just as good as Hudson River ice—better, probably—and, according to the logic of the conservationists and magazine writers, is worth \$1.25 per ton as it lays. If you should value the Alaska ice in the same way as the coal has been valued, instead of having trillions of dollars you would get into the decillions, and it would be just about as reasonable an estimate.

Mr. McKINNEY. The present price of coal in Alaska is too high, isn't it, to admit of its being used generally?

Mr. JOSLIN. Well, the price of coal, as compared with the price of wood, is fixed by the law of supply and demand. The price of coal at \$15 a ton is about equal to the price of wood at the figures I have given. A ton of coal is worth about two cords of wood.

Mr. WICKERSHAM. The price of wood will remain about the same, from \$8 to \$15?

Mr. JOSLIN. Yes; probably.

Mr. WICKERSHAM. And the price is apt to be raised?

Mr. JOSLIN. Yes; it has risen in Dawson, because they have cut it away. The price of wood in Dawson is considerably higher than it is at Fairbanks, and, of course, that is because of the longer distance it has to be hauled.

Mr. WICKERSHAM. What do we have to pay now on that as a royalty to the Government?

Mr. JOSLIN. Fifty cents a cord royalty, and it is nothing more than an internal-revenue tax on wood. The method of its collection is as extraordinary as the manner in which it is imposed. It is a criminal offense to cut wood, but as the people must have it the officers permit the crime to be compounded by payment to the Government of 50 cents per cord.

Mr. WICKERSHAM. What does it cost the Government to collect that 50 cents?

Mr. JOSLIN. I don't know. I went over to the Treasury Department to get the exact figures, but I did not get them. It seems that the price of wood in Alaska contained in forest reserves is fixed by the Forestry Bureau and sold to the people there, while the timber not in forest reserves is administered by the Interior Department. They have fixed the same price as that of the Forestry Bureau for the wood in the forest reserves; so we are paying 50 cents a cord, and my belief is that the total payment amounted to about \$25,000 last year. It is a taxation not imposed under any general law, but by executive order.

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U. S. Cong. HOUSE OF REPRESENTATIVES
COMMITTEE ON THE TERRITORIES

GOVERNMENT FOR ALASKA

STATEMENT OF
MR. E. E. POWELL
OF NOME, ALASKA

MARCH 23, 1910

SIXTY-FIRST CONGRESS, SECOND SESSION

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GOVERNMENT FOR ALASKA.

COMMITTEE ON THE TERRITORIES,
Wednesday, March 23, 1910.

The committee was called to order at 10.40 a. m., Hon. James T. Lloyd, presiding.

STATEMENT OF MR. E. E. POWELL, OF NOME, ALASKA.

Mr. LLOYD. Mr. Powell, what is your business?

Mr. POWELL. Mining.

Mr. LLOYD. Are you a miner or an owner of mines?

Mr. POWELL. Both.

Mr. LLOYD. Whom do you represent here?

Mr. POWELL. Well, personal interests and the corporation that has purchased those interests.

Mr. LLOYD. What are those; mining interests?

Mr. POWELL. Yes, sir.

Mr. LLOYD. What kind of mining?

Mr. POWELL. Placer mining.

Mr. LLOYD. Placer gold mining. Are you interested in coal mining?

Mr. POWELL. No, sir; not personally.

Mr. LLOYD. Are the corporations which you represent interested in coal or copper mining?

Mr. POWELL. No, sir.

Mr. LLOYD. In railroads?

Mr. POWELL. No, sir; none excepting that we have a very small piece of railroad up at Nome.

Mr. LLOYD. That is in Nome, Alaska?

Mr. POWELL. Yes; and for our own personal use.

Mr. WICKERSHAM. Which one is that?

Mr. POWELL. It is a piece of railroad over our own ground which is being extended from the railroad. It is right at Nome.

Mr. WICKERSHAM. What mining corporation do you represent there?

Mr. POWELL. The property owned by my brothers and myself at one time is now in the name of the Anvil Hydraulic and Drainage Company, and is being mined by the Nome Mining Company. The Alaska Dredging Company and the Wonder Dredging Company are also operating on ground originally held by us.

Mr. WICKERSHAM. What interest have you in coal?

Mr. POWELL. Directly, none.

Mr. WICKERSHAM. Well, indirectly?

Mr. POWELL. Some friends of mine at one time and I were slightly interested—I don't know that I am at the present time—in some of the coal in southeastern Alaska. I can not say that my own interests at the present time amount to anything in any way.

Mr. WICKERSHAM. What group were you interested in?

Mr. POWELL. The group at Katalla that White, Allen, and associates were interested in.

Mr. WICKERSHAM. Is Mr. Fink your attorney?

Mr. POWELL. No, sir.

Mr. WICKERSHAM. Is he the attorney for any of your corporations?

Mr. POWELL. No, sir; he is not.

Mr. WICKERSHAM. Who is your attorney at Nome?

Mr. POWELL. The attorney who has represented us largely is Judge De Bois, who is now dead.

Mr. WICKERSHAM. How did you happen to come over here, Mr. Powell?

Mr. POWELL. Well, I have a matter down here that I am interested in.

Mr. WICKERSHAM. Did anybody ask you to come here and testify?

Mr. POWELL. No, sir; but I was asked since I came to Washington to come before this committee.

Mr. WICKERSHAM. By whom?

Mr. POWELL. By Mr. Fink and others, and the matter has been talked over in New York by many of those interested at Nome.

Mr. WICKERSHAM. By whom over there?

Mr. POWELL. Mr. McLeod, Mr. Fox, and Mr. Stone.

Mr. WICKERSHAM. Who is Mr. Stone?

Mr. POWELL. Mr. Stone is the Taylor Creek ditch man, and others, also.

Mr. WICKERSHAM. Others who represent any other corporations?

Mr. POWELL. I don't know of any other corporations, but a number that are down there in New York are individually interested in Alaska.

Mr. WICKERSHAM. You state that you live in Nome?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. How long have you lived in Nome?

Mr. POWELL. I have lived there since 1900 to the extent of being there every year. I do not remain there in the winter time.

Mr. WICKERSHAM. You go up in June or July, and you come out in September or October?

Mr. POWELL. October and November.

Mr. WICKERSHAM. Do you come out any later than November?

Mr. POWELL. Well, I left there on the 4th of November.

Mr. WICKERSHAM. On a boat?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. Have you a family?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. Where does your family live?

Mr. POWELL. In Los Angeles.

Mr. WICKERSHAM. Did you vote for President two years ago?

Mr. POWELL. I did not.

Mr. WICKERSHAM. Have you ever voted in the States within the last ten years?

Mr. POWELL. I have not.

Mr. WICKERSHAM. Have you ever voted in Alaska?

Mr. POWELL. I have. I voted for you there.

Mr. WICKERSHAM. Has your family ever been up in Alaska?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. In the summer time with you?

Mr. POWELL. Yes.

Mr. WICKERSHAM. That is all.

Mr. LLOYD. You appear as an individual, and not as an attorney or agent for anyone?

Mr. POWELL. No. I am appearing in this matter entirely for myself.

Mr. LLOYD. I will ask you to excuse either me or any one of us for making these inquiries, but we want to know who is appearing before the committee. Our inquiries are not intended as any reflection upon anyone, but this country that we are asked to legislate for is a long way from us, and we want to know who it is that comes before us, and whom they represent.

Mr. POWELL. I fully appreciate that.

Now, gentlemen, in reference to some of the things that we see from that end, and that it is thought may be good for us, I have no doubt that among the many things that have been told you by those who have preceded me, you have been told the right thing to do. I am frank to say that I do not know the right thing to do, but I feel that there are some things that we are not prepared for in that country, and one of those things is to try to take care of that great country at the present time with the handful of people that are there now. I have listened to some of the statements that were made yesterday in reference to the population and the class of people that are there.

Mr. WICKERSHAM. By Mr. Joslin?

Mr. POWELL. By Mr. Joslin and the gentleman who preceded him. And I wish to say this, that we employ a good many men there. Of course, the class of people that have gone into Alaska since 1896 have been in many instances an active class of people. But my opinion is not one of us has gone into that country to make it a home intentionally, and I want to say to you that I do not know of any man who is a good citizen in the State who has gone into that country to make it, or desires to make it, a home. It is the ambition of every one of us to go there and to make money and to get away from the country just as quick as the Lord will let us. It is not an impossible place to live, neither is there a great deal that warrants a man remaining there other than the wealth that he may accumulate in the country; and as the population of the country changes, and I say to you, gentlemen, that I believe that 50 to 75 per cent of the population of the country changes every two to four years. Thus with a large floating population, without family or property ties or interests, we could expect very little good to come from those chosen by such disinterested voters.

Mr. WICKERSHAM. What parts of Alaska have you ever been in?

Mr. POWELL. I have been all along the northern coast, on the Seward Peninsula, Prince William Sound, at Nome, at St. Michaels. I have never been up the river.

Mr. WICKERSHAM. You do not think that people are going to reside on the Seward Peninsula to take up homes and to live there?

Mr. POWELL. I do not think that I ever met a man, unless he has a wreck somewhere in his life, in Alaska, at any point that I have ever visited, who wished to stay there and live. Of course the man might in some instances have gone up there to hate himself and live there several years. But aside from that kind of men, I do not know that I have ever met a man in Alaska who was a good citizen who was in there because he wanted to live in the country or to make it his home.

Mr. WICKERSHAM. Then, as I understand you, you do not think anybody goes to Alaska to live, excepting somebody who hates himself or is an outlaw?

Mr. POWELL. No; I didn't say that.

Mr. WICKERSHAM. I think that is what you said.

Mr. POWELL. Pardon me, but I said a man who decided to live in Alaska, without exception are only the men who had some of those things happen to them in their lives, so far as my knowledge goes.

Mr. WICKERSHAM. Well, to what extent have you traveled through Cook Inlet?

Mr. POWELL. From one end to the other.

Mr. WICKERSHAM. You know there are settlements there that have been there for one hundred years, do you not?

Mr. POWELL. No. I know the Alaska Commercial Company have a couple of trading stations which have been there ever since they put the stations in there, some thirty years.

Mr. WICKERSHAM. You know that there are some Russian settlements that have been there since 1729, do you not?

Mr. POWELL. Oh, there are some Russian people who live on the other side who have been there longer than that, but those people are not our kind of people.

Mr. WICKERSHAM. Oh, I realize that, but there are a great many white people in that territory who have lived there a great many years, are there not?

Mr. POWELL. But it is the class of men that I have referred to, men who have had some kind of trouble, domestic or otherwise, and who have gone off there to live.

Mr. WICKERSHAM. Then you do not know of any other class of people living there excepting people of that kind?

Mr. POWELL. I don't know of any.

Mr. WICKERSHAM. No such people living at the town of Seward at the time you were there?

Mr. POWELL. No, sir.

Mr. WICKERSHAM. Or at the town of Valdez when you were there?

Mr. POWELL. No, sir.

Mr. WICKERSHAM. Or at Cordova or Ellamar or Latouche?

Mr. POWELL. No, sir.

Mr. WICKERSHAM. Don't you know that all through that country now there are towns and villages in which the settlers are living and where they have schools and churches and everything that go to make up civilization?

Mr. POWELL. Well, I think the same condition prevails that obtains at Nome; the population is shifting, and the people go in there merely for the purpose of making money.

Mr. WICKERSHAM. But you have not been in there since 1896?

Mr. POWELL. But I meet the people from there every year; they travel back and forth.

Mr. WICKERSHAM. Now, do you want to say to this committee that at Valdez, Seward, and Cordova there is nobody living who intends to remain there?

Mr. POWELL. Who wants to remain?

Mr. WICKERSHAM. Who wants to remain?

Mr. POWELL. I did not say no one, because that would be wrong. But I don't believe you will find any man with his family in that country that hopes, nor have you ever found a man who hopes, to make Alaska his home.

Mr. WICKERSHAM. I want to say that that is the most startling statement that has come to me. You do know that they have churches and schools and everything that goes to make up civilization in all of those towns?

Mr. POWELL. But any mining country has the same thing, but you do not call that home.

Mr. WICKERSHAM. Well, I don't know; these people have lived there for ten years.

Mr. POWELL. Some of them, but I do not believe you will find a man who has made Alaska his home for ten years who, barring the conditions spoken of, desires to remain.

Mr. WICKERSHAM. You know that Captain Whorf has been living up there for more than ten years, do you not?

Mr. POWELL. He hopes that the time will come when he will be able to go down and live in the States, and I will guarantee that if you will ask him he will say that that is the case.

Mr. WICKERSHAM. I think you have reference to Captain Hall. I had reference to Captain Whorf, who lives at Port Graham.

Mr. POWELL. Well, there are men who are capable of doing anything, and who seem to enjoy some of those conditions. But I am speaking about the very large percentage of people who are in that country. I do not believe there is any question about it, that all that I say is true.

Mr. WICKERSHAM. Well, I know that it is not true, and I want to find out what you know about it. How many people have you talked with at Seward?

Mr. POWELL. Well, I have been reasonably active.

Mr. WICKERSHAM. Have you been in Seward in ten years?

Mr. POWELL. No.

Mr. WICKERSHAM. Then they were not there ten years ago when you were there?

Mr. POWELL. But human nature is the same, whether in Alaska then or to-day. I talk with men every day, every time and everywhere that I can.

Mr. WICKERSHAM. You have been going up to Alaska for ten years, and you do not know how soon you are going to quit going?

Mr. POWELL. Well, as quick as I can.

Mr. WICKERSHAM. How soon will that be?

Mr. POWELL. Well, perhaps in two or three years.

Mr. WICKERSHAM. Have you been in the Tanana country?

Mr. POWELL. No, sir. There is a great deal of country there that I have not been in, and lots of country that no man has been in.

Mr. HOUSTON. Do you think that conditions are such in Alaska that people can not locate themselves comfortably and live comfortably and happily permanently?

Mr. POWELL. I think that a man who has ever known the conditions such as we have in the United States, as we know those conditions down here, can hardly reconcile himself to live in a country where there is, as they term it there, nine months winter and three months of darn bad weather, as we have it in Alaska. Then oftentimes there is bad weather practically the year round, and it is not a pleasant thing to contemplate.

Mr. HOUSTON. In those places there where they have these settlements and towns, these conveniences and the advantages that necessarily come from a considerable population being drawn together, can not those people make themselves comfortable?

Mr. POWELL. Yes, sir.

Mr. HOUSTON. And live comfortably?

Mr. POWELL. Yes, sir.

Mr. HOUSTON. And prosperously?

Mr. POWELL. Prosperously, if you think of being cut off from the things which you have learned are necessary.

Mr. HOUSTON. But I do not want to go into the luxuries. Can not those people raise families there?

Mr. POWELL. Oh, yes, sir.

Mr. HOUSTON. And raise them comfortably?

Mr. POWELL. Yes, sir.

Mr. HOUSTON. And where these settlements are, does not that give them the advantages of civilization?

Mr. POWELL. That class, yes; but I am saying that, without exception, every man who is active in that country goes in there with the one expectation of devoting two or three or four years of his life to making enough money, taking chances, so to speak, so that he can go back to the States and live in comfort. That is his ambition. Those people do not go to that country as we used to go West. I have lived in the West all my life, and it is not as the West was settled.

Mr. WICKERSHAM. Where have you lived in the West?

Mr. POWELL. I was born in Illinois, reared in Ohio, and I have lived in Colorado, and from there on west to the Pacific coast.

Mr. WICKERSHAM. How long did you ever live in any one place?

Mr. POWELL. I have lived in Seattle, where you were, for sixteen or eighteen years. I lived in Colorado for six years, in Nebraska four years, and in Illinois several years.

Mr. WICKERSHAM. Well, those are pretty good States, are they not?

Mr. POWELL. Yes; but they are materially different from our good country, Alaska.

Mr. WICKERSHAM. I understood you to say that we have nine months winter and three months bad weather in Alaska.

Mr. POWELL. I have found it that way.

Mr. WICKERSHAM. Whereabouts?

Mr. POWELL. On the Seward Peninsula and Cook Inlet.

Mr. WICKERSHAM. That is your judgment. Did you hear Mr. Joslin yesterday?

Mr. POWELL. Yes.

Mr. WICKERSHAM. What did you think about what he said?

Mr. POWELL. Every man is entitled to his own views upon this matter.

Mr. WICKERSHAM. Well, you know that Mr. Joslin has lived in the interior of Alaska for twelve years, do you not?

Mr. POWELL. I know he has been there, but I don't think he has lived there.

Mr. WICKERSHAM. He has a home there, and he lives there.

Mr. POWELL. I think he has a home there the same as we all do. I don't think that Mr. Joslin's ambition is to make Alaska his home, and I do not believe Mr. Joslin will tell you that.

Mr. WICKERSHAM. Don't you know that there are thousands of people who are living in that country taking homesteads, building homes, and living there, and that they are building schoolhouses and churches there?

Mr. POWELL. In what country do you refer to?

Mr. WICKERSHAM. I refer to Cook Inlet country, Prince William Sound country, and particularly the Fairbanks country.

Mr. POWELL. In the Fairbanks country I don't think there is any question but what in time some people will so arrange as to live there, the same as in any country that might not be the most desirable, if they choose it out of necessity or otherwise. I don't question but what people will live in Alaska. There is always to be an increase of population; I believe that.

Mr. WICKERSHAM. But you think they are bad people?

Mr. POWELL. I do not, but they come and go, and in speaking of the necessities of the country, that I succeeded through fortune or otherwise, together with my brothers, in gathering up a good big district in which it is estimated to-day there are a good many millions of dollars. After I had this I could not make a living on it until I had gotten capital sufficient to open it up.

Mr. WICKERSHAM. Where is this district?

Mr. POWELL. Right back of Nome, and inside of the corporate limits of Nome.

Mr. WICKERSHAM. How many claims do you have there altogether?

Mr. POWELL. I succeeded in getting about 38 claims.

Mr. WICKERSHAM. You and your combination?

Mr. POWELL. My brothers and myself.

Mr. WICKERSHAM. That was the sum total of your combination, 38 claims?

Mr. POWELL. Yes.

Mr. WICKERSHAM. How many have you now?

Mr. POWELL. We have twice that.

Mr. WICKERSHAM. Twice that. That makes about 76 claims.

Mr. POWELL. Somewhere along there.

Mr. WICKERSHAM. Of 20 acres each?

Mr. POWELL. Some of them are eighties, and one 160.

Mr. WICKERSHAM. And how many acres altogether have you?

Mr. POWELL. Perhaps 1,800 acres—about 1,800 acres.

Mr. WICKERSHAM. Lying between Nome and Anvil Rock?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. What have you been doing on them, mining?

Mr. POWELL. Dredging.

Mr. HOUSTON. Is there anybody living on those claims?

Mr. POWELL. Our men who are taking care of the plants.

Mr. HOUSTON. Men with families?

Mr. POWELL. Yes; in one instance a man and his family.

Mr. HOUSTON. And how many men are on those claims in the winter and the summer? I mean how many people, including the women and children that you have there.

Mr. WICKERSHAM. You are conversant with the conditions at Nome. How many churches have you there?

Mr. POWELL. Four or five.

Mr. WICKERSHAM. How many schools?

Mr. POWELL. One.

Mr. WICKERSHAM. Well, you have one system of common schools there. Haven't you more than one school building?

Mr. POWELL. No; we have one school.

Mr. WICKERSHAM. But it is a very large building, a high-school building?

Mr. POWELL. A very nice building; yes.

Mr. WICKERSHAM. How many scholars go to that school?

Mr. POWELL. I don't know, but there are quite a number; there have been in years gone by. Of course now it is depleted badly.

Mr. WICKERSHAM. You have hospitals?

Mr. POWELL. Yes; we have a very nice hospital.

Mr. WICKERSHAM. You have railroads?

Mr. POWELL. We have a railroad.

Mr. WICKERSHAM. You have a railroad running from there to Kougarak, 80 or 90 miles?

Mr. POWELL. Yes.

Mr. WICKERSHAM. And you have steamboats running regularly when the bay is open?

Mr. POWELL. Yes.

Mr. WICKERSHAM. You have telegraph lines to Washington City, have you not? And you have telephones and electric lights and everything that goes to make up civilization?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. And nice homes?

Mr. POWELL. Very good.

Mr. WICKERSHAM. And many of them?

Mr. POWELL. Yes.

Mr. WICKERSHAM. Men, women, and children all live there?

Mr. POWELL. Yes.

Mr. WICKERSHAM. And they live comfortably year in and year out, do they not?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. And make money?

Mr. POWELL. They have made money up to last year. Last year was very disastrous to the country.

Mr. WICKERSHAM. That is, on Seward Peninsula?

Mr. POWELL. Yes.

Mr. WICKERSHAM. Now, the Seward Peninsula runs up almost to the Arctic Circle; that is, the upper edge is on the Arctic Circle, between Kotzebue Sound on the one side and Norton Sound on the other, and the Bering Sea. That is a wind-swept and cold country, is it not?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. It is one of the most forbidding places in all Alaska, is it not?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. And there is less likelihood of people ever living on Seward Peninsula for the purpose of agriculture than any other spot in Alaska; isn't that your judgment?

Mr. POWELL. I would think so; yes.

Mr. WICKERSHAM. Now, the conditions are very different in other parts of Alaska from what they are there; I mean the climatic conditions are different?

Mr. POWELL. That is true.

Mr. WICKERSHAM. But now there are large areas of ground there that contain many million dollars' worth of gold?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. There is tin there, and also coal?

Mr. POWELL. Yes; there is coal back in the interior.

Mr. WICKERSHAM. And down toward Norton Sound there is nickel and cobalt and gold?

Mr. POWELL. Yes; Alaska possesses 'almost all of the minerals known.

Mr. WICKERSHAM. But I am talking now about the Seward Peninsula. There is a highly mineralized condition there, is there not?

Mr. POWELL. When you say "highly," I would not qualify as to Seward Peninsula being highly mineralized on all of those minerals named. We have not, so far, found that to be the case on all minerals, not as much as southern Alaska.

Mr. WICKERSHAM. But we are now talking about the Seward Peninsula. Have you any doubt in your mind that the immense area of mineral on Seward Peninsula alone is going to support a large population of people; right there alone?

Mr. POWELL. I have no doubt in the world but what Seward Peninsula will always have a population.

Mr. WICKERSHAM. And it will come from these people who are engaged in mining there, will it not?

Mr. POWELL. Yes; partly. That and the people we take in each year to mine.

Mr. WICKERSHAM. But just now you think between the time when they cease mining the placer gold and begin the dredging, and later begin the quartz mining, that there has been a decrease of the permanent population there?

Mr. POWELL. Yes; just as follows in all classes of mines, as the hand workings decline and the machinery working begins, which does not require so many people to do it.

Mr. WICKERSHAM. Now, let us take up the character of people that you have met. They are pretty good people, are they not?

Mr. POWELL. Yes, sir.

Mr. WICKERSHAM. So far as you know, the people on Seward Peninsula; they have been a very good class of Americans, have they not?

Mr. POWELL. As they come and go; they are fine people. Of course there is a change every year of a large percentage.

Mr. WICKERSHAM. But there are a great many people who do not change, do they?

Mr. POWELL. Some of them remain each year.

Mr. WICKERSHAM. All of these people who have business and homes and mines?

Mr. POWELL. But their business is continually changing, shifting into other hands. And that is exactly the point that I am making. A man does not go there to remain. He is not tied, so to speak, to the country. It is purely a dollar and cents tie. It is not a question of home or residence, or family tie, that brings him there. It is the dollar. He either makes it or don't make it. If he does not succeed he goes away.

Mr. WICKERSHAM. Isn't that true in all of the Western States of the country?

Mr. POWELL. I think not.

Mr. WICKERSHAM. Don't you think that that is true in all of the western territory where the people have lived on mining, and followed the mining camps?

Mr. POWELL. No; California was settled and the people remained there. They did not want anything better. It was a home, and the climatic conditions were ideal. So it has been in Colorado. The people do not want to move away. It was a livable place, while Alaska is not a desirable place.

Mr. WICKERSHAM. Then you think that the people are not going to live in Alaska, as I understand it?

Mr. POWELL. They are going to live there, but they will be birds of flight?

Mr. WICKERSHAM. Always?

Mr. POWELL. Always, in my judgment, the majority of them will be that way. There is another thing that applies to all of our mines. The people living in that territory are employed for a number of years. We make a three-year contract with men to go in there and help to operate the mines, and whenever that condition prevails that man will be a voter, then he has no interest at stake, not a dollar invested, though there is always the chance that a man may become interested. But as to the very large majority which will naturally govern, it means that they will be the ones to decide what shall be done in that country. And until there are enough people interested in that country to take care of it, I say to you that you would not be doing us a kind act if you turned the country over, and expected us to take care of it under those conditions.

Mr. WICKERSHAM. Then you are opposed to the election of a territorial legislature in Alaska?

Mr. POWELL. I am.

Mr. WICKERSHAM. And you favor the appointive legislature?

Mr. POWELL. I don't think it is necessary for me to express my judgment on what should be done. I think this committee, with the knowledge and the examples that they have at their hands, will know what should be done in the way of taking care of the new country; so it would be foolish for me to try to tell them what to do.

Mr. LLOYD. Do you think there is particular need for a change in your present system of government?

Mr. POWELL. I am not prepared to say that there is entirely a need for a change. But there are things that are bad and that perhaps can best be removed, if they can be reached, through some such scheme as has been proposed. But I would say this: If it has to come, that there should be something in the way of a mixed board or mixed

government, by appointment and by election, and let them, if they want to play the game there, elect by all means the minority, which will satisfy the ambitious ones, and then they will not hurt us. If there are five appointed and four elected, that will not hurt us any, and we can always feel safe. If it was otherwise, the men that are in Alaska that would be good men would not allow their names to come up; neither would they engage in the care of the government for the salaries that are to be paid. They would not allow themselves to be elected, in my judgment, nor assist in actively taking care of the affairs of the Territory.

Mr. LANGHAM. What is the sentiment of the people up there?

Mr. POWELL. The man who has a dollar at stake in the Territory—and that is the sentiment, for the balance don't mean anything—the sentiment is that it has never been a question of the Government's ability to take care of ourselves, and life and property are safe. But the corruption and incompetency of some of the principal government officials appointed in this Territory has been so out of line with what we should expect that that is the principal cause of fault-finding and trouble.

Mr. LLOYD. In that connection, why do you conclude that the appointments that would be made under a different form of government would be better than have been made under the existing form of government?

Mr. POWELL. I would answer that question in this way: We got off, so to speak, on the wrong foot up there. We had a lot of things handed us to start with by some clever rascals. The example was set for graft. It has never been entirely eliminated from our district. The result of that is that the people have been thoroughly educated in the line of graft. And the first relief that we ever had from that was when Judge Wickersham here came into the Territory and straightened out our affairs. We still have the remnant of that left there to-day, and we are still affected by it.

Mr. LLOYD. And any change in the form of government would overcome that?

Mr. POWELL. No.

Mr. GOOD. What power should this body have that you refer to, whether elective or appointive, or partly elective and partly appointive?

Mr. POWELL. I don't think that I am prepared, or a sufficiently good judge, to answer. I think it should be given power to regulate locally the troubles of our country, which result at the present time at least largely from laws in reference to the location of mining property. The remedy of that and the other troubles that come to a new country are perhaps all that we could expect.

Mr. LLOYD. Are the laws reasonably well enforced just now?

Mr. POWELL. Yes; they are.

Mr. HOUSTON. You say that the tie up there is one of dollars and cents, and that that is the only interest that men have in that country?

Mr. POWELL. I am speaking now of a very large majority of the people. It is a dollar-and-cents tie to start with, and I do not at present see why it should ever materially change.

Mr. HOUSTON. Haven't you got a lot of men up there who have the sense of right and patriotism, and who ought to be willing to serve their country and promote the welfare of their territory?

Mr. POWELL. Yes, we have; if they would make it their permanent home. But we do not look upon that country as we did upon the western country, for instance, in the time that it was being settled. It is not a pleasant thing to contemplate, to live in that country that is bound by ice and snow and storms.

Mr. HOUSTON. But they have that trouble in all pioneer countries in a greater or lesser degree?

Mr. POWELL. Yes; but not as I feel it exists in Alaska.

Mr. HOUSTON. I want to ask you about the population up there that will be entitled to a vote. What will be the occupation and the pursuit of those men who as a rule would be entitled to the exercise of the franchise?

Mr. POWELL. Well, they will be engaged in mining largely, fishing, and a small amount, hardly worth mentioning, in the pursuit of gardening, truck raising, and farming.

Mr. HOUSTON. As to those that are engaged in mining and fishing, are they in the employ of large corporations of large wealth?

Mr. POWELL. A very large majority of them are.

Mr. HOUSTON. If those men were called upon to exercise the right of suffrage and vote, would they exercise that as free men, uninfluenced, or what would be the likelihood of their votes being controlled by these interests that are employing them?

Mr. POWELL. Well, putting it in a matter-of-fact way, I would say that if a man is working for you, and hasn't got a dollar at stake himself, the chances are that he will be influenced by his employer. But I think the class of men that we employ in that country are as fine a lot of men as I ever knew.

Mr. LLOYD. Do you think that is an objectionable circumstance?

Mr. POWELL. No.

Mr. LLOYD. That they should, to some extent, be influenced?

Mr. POWELL. I do not; no.

Mr. LLOYD. Now, I want to say this at this time. In the long experience that I have had upon this committee we have had a vast number of people appear before us at various times, some from one cause and some from another. But I do not think that we have had a finer body of men from any place than have come from Alaska to appear here, men of undoubted integrity, intelligence, and most of them looking thrifty. And it is a little surprising that we should have any information before this committee to the effect that it would be unsafe to give the government into the hands of that class of people.

Mr. POWELL. There is only one reason that I can assign for that, and that is the shifting of the population that is continually going on there. Now, we want mechanical men in our operations, and we would rather have the man that we had the year before than to take a new man. But we find that it is impossible to get an average of 25 per cent of our employees back again the next year. They are not in the country.

Mr. WICKERSHAM. A great many of the men go out prospecting, do they not?

Mr. POWELL. Some of them do, but there are a great many men who come in there, as you know, stay a season, and go out for good; a few remain a year or two. The country itself has a tendency, and our insane asylums testify to that, to affect a man, so that if he stays

in that country very long it affects them often mentally. It is not generally considered a good country to live in for a great number of years.

Mr. WICKERSHAM. Well, we have 133 persons, according to the government reports, in insane asylums in Alaska.

Mr. POWELL. One hundred and thirty-three?

Mr. WICKERSHAM. Yes, 133. I thought there were more than that, but upon looking it up I discovered there were 133. Do you think that is an unusual percentage?

Mr. POWELL. Not if that is all. I thought there were more. We contribute largely from our district, I know.

Mr. WICKERSHAM. You complain that your men do not come back to work the next year?

Mr. POWELL. No; I complain of their not coming into the country.

Mr. WICKERSHAM. Isn't it true that men do not come up into that country to work for wages?

Mr. POWELL. On the contrary, we are swamped every spring on the coast with men asking for work.

Mr. WICKERSHAM. But who are those men?

Mr. POWELL. They are laborers.

Mr. WICKERSHAM. They are prospectors, aren't they?

Mr. POWELL. No; they are laborers, but they are willing to become prospectors in some instances, but they are largely laborers.

Mr. WICKERSHAM. With few exceptions, aren't those men who apply to you for work in the springtime men who have been prospecting in the winter time?

Mr. POWELL. Oh, no; they come to us at Seattle. They have never been in the country.

Mr. WICKERSHAM. And when they get up there they become prospectors, if they are of any account at all, don't they?

Mr. POWELL. No; they will go back—a great many of them. Some of them do remain in the country over winter.

Mr. HOUSTON. Can they engage in prospecting in the winter time there?

Mr. POWELL. Yes. That is the most active season.

Mr. WICKERSHAM. They can travel over the country at that time better?

Mr. POWELL. Yes; and they can do very efficient work in the winter time. They can sink their shafts and hoist the dirt preparatory to spring clean up. They do not, however, mine the ground from the top to the bottom when doing this kind of work.

Mr. HOUSTON. And they do that in the winter time in the severest weather?

Mr. POWELL. Oh, yes; they can do that when it is blowing a blizzard.

Mr. HOUSTON. I supposed that the winter stopped all work of that character.

Mr. POWELL. No; they even hoist there the year round; that is, operate their mines where they find ground sufficiently rich. They do not stop for a blizzard at all.

Mr. WICKERSHAM. They have machinery and a self-dumping apparatus?

Mr. POWELL. The man is above operating the steam winches, and it does not need help up on the surface.

Mr. LLOYD. Were you ever in the Hawaiian Islands?

Mr. POWELL. I never was.

Mr. LLOYD. How do you think that we can explain to the people that the people of the Hawaiian Islands were capable of self-government and entitled to local government, and have justified themselves, while the people of Alaska are not?

Mr. POWELL. You get my intent wrong, at least. I am not saying that the people who are in the Alaskan Territory are incapable, but there are two conditions, first, the people are transient, and, secondly, we have not a sufficient population in this great new country. If we were concentrated and the little dots of settlements were situated reasonably close together, I would not be against that part taking the responsibility of self-government. But we have a great domain there that is unpeopled, and we do not expect a small amount of people to take care of a great domain of that kind, and we do not think it is prudent.

Mr. LLOYD. But, after all, the population is located in about three settlements, is it not?

Mr. POWELL. Oh, no; well, perhaps that; yes.

Mr. LLOYD. One in the Fairbanks country, one in the Nome district, and one in the southeastern part?

Mr. POWELL. And one up on the river. I do not belittle the effort to do something for us, but I don't know what is best to be done.

Mr. LLOYD. But that is the very thing we want to know, what is best.

Mr. POWELL. You gentlemen have had more experience than any one of us as to the things that have been done and worked out; whether an appointive and elective commission would be the right thing, and I say to you that if anything is to be done, in my judgment that is the right thing, for it saves us from the possible condition spoken of. But this is to be borne in mind in a new country where mining is the principal industry. There may be a strike in the interior of the country, and thousands go there. At one time there were 20,000 people dumped on the Nome beach in forty days. That condition is liable to again take place at any time. The people come there from all over the world, and they are unknown to one another, and there are agitators who go with that kind of a crowd. Now we will suppose a case, as in Cook Inlet. There were 2,000 people landed there—between two and three thousand. There were not mines enough to go around, probably not over 15—ten perhaps would cover everything there was in that district that were productive. They met there, and there was enough of the lawless element to undertake to divide up the claims, making them smaller, and they had considerable trouble there, if you will remember, over that thing. That condition is liable to occur at any time.

Mr. LLOYD. But isn't that likely to occur in Nevada, for example; in the States?

Mr. POWELL. I think Nevada is a small country compared to Alaska and easy of access, and the people would be amply able to take care of a condition of that kind.

Mr. LLOYD. But the State of Nevada, so far as the whole territory is concerned, compared to that which is populated in Alaska, is practically the same.

Mr. POWELL. That may be true, but the mines are easier to get at. We have a miserable country to get over and to take care of.

Now, as was said yesterday, I grant you that where you allow the men to come in and take care of themselves that they will find a means of governing themselves. But when you protect them by officials appointed to do it, or who do not do it, whichever the case may be, they expect that, and they do not look otherwise for protection.

Mr. LLOYD. Isn't this somewhat true? My father was engaged in the mining business in California in 1850 to 1855. I have heard him say repeatedly that they had a better enforcement of law in the localities where he was at work than he found in the States, and yet they didn't have any law at all.

Mr. POWELL. But that comes about in this way: It is not done in a moment. You dump 20,000 people, as was the case on the beach at Nome, no one knowing the other, and it takes time to organize.

Mr. LLOYD. But you will not expect those conditions any more, such as you had at Nome?

Mr. POWELL. They may occur at any minute, and there is no reason to say that they will not.

Mr. LLOYD. There has not been any considerable run into Alaska for several years, has there?

Mr. POWELL. Fairbanks created quite a stampede from the outside, and Iditirod has caused a great many people to leave the coast and go inside this winter.

Mr. WICKERSHAM. That class is the prospectors, is it not?

Mr. POWELL. The prospectors and the men engaged in that business.

Mr. WICKERSHAM. Of these 20,000 on the beach at Nome, 10,000 went out again in thirty days, did they not?

Mr. POWELL. Oh, no; not 10,000. There was a disgruntled element. I should say not over 10 per cent left, but it is a fact that we had a large per cent of the 20,000 at Nome the next year—around 15,000.

Mr. WICKERSHAM. Then, if I understand you, you think that no more than 25 per cent went out in that year?

Mr. POWELL. They went out and came back.

Mr. LLOYD. Isn't the most serious objection to the territorial form of government, the fact that it is expected to levy taxes to meet the expenses of the Government?

Mr. POWELL. I don't think our taxes in the future will be any greater than we have been paying in the past in the way of taking care of ourselves. Of course it is owing to what might be needed to develop the country. The people of this country are interested in Alaska; that is, they will be for years to come. It will not be only the man who is in that country, but the people are leaving, and Alaska is drawing from people living in the United States, and will for years to come, in order to fill up the vacancies in that great country. The people there will not populate it, they leave it. If you have ever met a man who went there, you do not hear him long to go back there and make it his home.

Mr. WICKERSHAM. Do you agree with Mr. Fink that the population will decrease rather than increase in Alaska?

Mr. POWELL. No; in the future I think that Alaska will increase in population.

Mr. WICKERSHAM. Is not his idea correct, that he has proposed here, that the placer mines are pretty nearly worked out?

Mr. POWELL. In the located districts, yes, but I believe there will be more of those found.

Mr. WICKERSHAM. What you mean is that you are changing now from hand working to dredge working?

Mr. POWELL. In those districts where it has been mined out; yes.

Mr. WICKERSHAM. It is your judgment that on the Seward Peninsula you have hardly begun to touch the placer gold yet, is it not; but you have to take it out in a different way?

Mr. POWELL. That is all; yes, sir.

Mr. LLOYD. That is, you use more machinery and less hand work?

Mr. POWELL. Yes; it takes very few men now to do the work.

Mr. WICKERSHAM. That is owing to the number of dredges that you have put in. How many dredges can you afford to put in on the 1,800 acres that you have; that is, if you had the means to put them in promptly, as a business proposition?

Mr. POWELL. We could not install them only just so fast. We might put in ten or twelve.

Mr. WICKERSHAM. That requires a large amount of expenditure for fuel, for supplies, and all that kind of thing?

Mr. POWELL. Oh, yes.

Mr. WICKERSHAM. And it would require a large number of people in the main?

Mr. POWELL. It would require a very nominal number as compared to what it takes to shovel in—hand work.

Mr. WICKERSHAM. But you do a vastly greater amount of work.

Mr. POWELL. A dredge will handle from two to four thousand yards a day, but it does not matter about the yardage; it takes the same number of men to operate the dredge. It requires seven men for a twenty-four-hour run, so that the number of men used in a thing of that kind is nominal.

Mr. HOUSTON. You say that in those places there where these miners are found they frequently have law and order of their own. Isn't that the result of their own local effort on their own part as to government and control?

Mr. POWELL. Yes.

Mr. HOUSTON. Then, that being so, I do not understand why those people, if they have their own local government, would not carry out this same spirit and better enforce law and order and protect the rights of the citizens. It would merely be carrying out the same principle.

Mr. POWELL. I would answer that in this way: I believe that if you were to go back into the interior and organize, as you speak of, what is called the "miner's plan" of taking care of the country, a code of laws, as they put it, allowing that they did come out and other people take their place from year to year, I believe that that would prevail. It is the fight of necessity that compels a man to do that. He has got to protect himself. But when you put a form of government in there it becomes more of a joke if a man is a transient, going and coming.

Mr. HOUSTON. Civilization would seem to be a failure there.

Mr. POWELL. As long as there is neither family nor dollar-and-cent ties, it is in a country where things are as they are there.

Mr. WICKERSHAM. What class of people go into that country; what nationality?

Mr. POWELL. They are some good Americans; Swedes and Norwegians dominate.

Mr. WICKERSHAM. And they not only dominate in point of numbers, but in force for good government?

Mr. POWELL. All three?

Mr. WICKERSHAM. Yes.

Mr. POWELL. I will say yes.

Mr. WICKERSHAM. Isn't there as little crime as is usual in a community where there are so many people in a new country?

Mr. POWELL. I never lived in a country where there was more crime, if you consider the position that the people are placed in—trying to take from one another what belongs to another.

Mr. WICKERSHAM. What do you mean by that; mining litigation?

Mr. POWELL. Jumping property. That would have been considered a crime in any other community in the world.

Mr. WICKERSHAM. But aside from that, now, the average mass of crime is less than it is anywhere else in the world, is it not?

Mr. POWELL. Do you mean murder?

Mr. WICKERSHAM. Yes.

Mr. POWELL. Yes.

Mr. WICKERSHAM. And highway robbery, and offenses of that kind.

Mr. POWELL. Alaska has never been noted as a place for highway robbery, because the robber would not have much show of getting out.

Mr. WICKERSHAM. It is not a good place for criminals to go into?

Mr. POWELL. No; they can not enjoy what they get.

Mr. WICKERSHAM. And they generally get the limit of the law when they are caught, and they are generally caught, are they not?

Mr. POWELL. Always; they can not get away.

Mr. GOOD. Mr. Powell, has any oil been discovered or located in the Territory of Alaska?

Mr. POWELL. Yes; a very good oil.

Mr. GOOD. What are the indications in regard to that?

Mr. POWELL. There is a vast district down below the Copper River and north of it that shows one of the very best of paraffin base oil, I believe 51 gravity, as it comes from the ground. It will burn in a lamp just as it comes from the ground. It is a very high-grade oil. They have spent a lot of money there, but so far they only have succeeded in getting two flowing wells. But for 20 or 30 miles along the shore there, at times when the tide comes in, the water is covered with oil; and there are great areas there where it has oozed out in ages gone by, and there are good indications of oil.

Mr. GOOD. Is there much government land still unentered in that vicinity?

Mr. POWELL. I think there is a great deal in there that is not taken up, but some of it along the coast has been taken up for that purpose and exploited; that is, in a way there has been considerable money spent on it. I have some friends who have spent considerable money there.

Mr. WICKERSHAM. What about oil on the Alaska Peninsula?

Mr. POWELL. I don't know a great deal about that. I only know what has been told me by people in that district.

Mr. WICKERSHAM. Do you know anything about oil on the flats between the Kuskowim and the Yukon?

Mr. POWELL. I do not.

Mr. WICKERSHAM. I have been told by parties who have been in there that there are flattering indications of oil there.

Mr. POWELL. I have heard it reported. I have never heard of anyone who tried to form an intelligent opinion about it.

Mr. WICKERSHAM. No work has been done, but the indications are wide-spread in there.

Mr. POWELL. All around the coal fields, below the mouth of the Copper River, they have some very good oil indications.

(Adjourned at 11.47 a. m.)

10-21-31
U. S. Cong. HOUSE OF REPRESENTATIVES
COMMITTEE ON THE TERRITORIES

GOVERNMENT FOR ALASKA

STATEMENT OF

MR. GEORGE K. McLEOD

OF NEW YORK CITY

MARCH 16, 1910

SIXTY-FIRST CONGRESS, SECOND SESSION

WASHINGTON
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GOVERNMENT FOR ALASKA.

STATEMENT OF MR. GEORGE K. McLEOD, OF 31 NASSAU STREET, NEW YORK.

The CHAIRMAN. Mr. McLeod, will you please state your name and your residence?

Mr. McLEOD. George K. McLeod, of New York.

The CHAIRMAN. In appearing before this committee, Mr. McLeod, do you appear in the interest of any corporation doing business in Alaska?

Mr. McLEOD. Yes; I am manager of a corporation doing business in Alaska, and have been up there for the last four years, and am going back this summer.

The CHAIRMAN. What is the name of the corporation?

Mr. McLEOD. The Fairhaven Water Company, operating in the Fairhaven district, on the Seward Peninsula. We have constructed the largest ditch in that section of the country, 40 miles in length.

The CHAIRMAN. Do you represent any other corporate interests in Alaska?

Mr. McLEOD. Another company in that section, in which practically the same people are interested.

The CHAIRMAN. Another corporation locally interested on the Seward Peninsula? What is the nature of its business?

Mr. McLEOD. Mining and water rights.

The CHAIRMAN. Are you interested in any corporation which has interests outside of the Seward Peninsula?

Mr. McLEOD. No. I have individual interests in southeastern Alaska, in Juneau, but simply as an investor and not in any managing capacity.

Mr. HUMPHREYS. Are any of these corporations related in any way to the Alaska Central?

Mr. McLEOD. No, sir; I don't know anything about that question.

I have been up in that country for four years on the Inmachuk River, though I know the Nome section pretty well. My attention has been called to the bills for the territorial government, and I desire to appear before the committee in favor of an appointive commission rather than an elective one. My reasons therefor are that the population is too changeable and too transient to get a good class of representative people for an elective government. In my section of the country that I know well there are about 300 people there in the winter time, and I do not think over 30 of them have been there four years, and I don't believe 10 would have stayed if they had had the means of getting out and back. And I do not know over 5 men on the Inmachuk who had sufficient interest to remain there this winter, if they had had the means to get out and back in the spring. There is a small town at the mouth of the river called Deering, where we

land our supplies, but the mining is done up the river. Because of the transient character of the population in Alaska I am quite satisfied that satisfactory representatives, with the good of the Territory thoroughly at heart, could not be obtained, because the moment the mining is through, the rich mines are worked out, the interest of the individual is gone, and the ground must be taken up by capital and worked in a large way.

The CHAIRMAN. Have you had occasion to observe conditions in other parts of Alaska?

Mr. McLEOD. Only in the Nome section and through that country. I have been all through from Nome to Candle, on Kotzebue Sound.

The CHAIRMAN. How do the conditions as you have described them in the Fairhaven district compare with the conditions elsewhere?

Mr. McLEOD. I should say practically the same, with the exception of Nome. I think there always will be a small camp at Nome, but there are no agricultural or other resources in that country. There might be a little fishing on the coast, and probably some attention to the fur industry, but that would be all.

The CHAIRMAN. What kind of an industry would sustain a population at Nome other than mining?

Mr. McLEOD. Well, it might be a center of distribution for all mining camps around there.

The CHAIRMAN. For interior mining points?

Mr. McLEOD. Yes; or along the coast.

The CHAIRMAN. The population of Nome is now what?

Mr. McLEOD. I should say 1,700 to 2,000 this winter.

The CHAIRMAN. Do you consider that to be about the permanent population?

Mr. McLEOD. While the camp has at present a good deal of prosperity, yes.

The CHAIRMAN. Is the population—what you would call the permanent population of Nome—as large now as it has been heretofore?

Mr. McLEOD. No.

The CHAIRMAN. Well, if not, why not?

Mr. McLEOD. Some of the easy workings that engaged the attention of individual miners have been worked out. But there are some corporations doing work now, as the character of the mining has developed and requires capital.

The CHAIRMAN. Have you any information other than by hearsay in relation to the Fairbanks country?

Mr. McLEOD. None whatever.

The CHAIRMAN. Have you any information in relation to the vicinity of Valdez?

Mr. McLEOD. None whatever.

Mr. WICKERSHAM. When did you first go to Alaska?

Mr. McLEOD. In 1906.

Mr. WICKERSHAM. What time of the year did you go up there?

Mr. McLEOD. I sailed from Seattle on the 25th of June.

Mr. WICKERSHAM. Then you got up there about the 1st of July?

Mr. McLEOD. I got up there on the 4th of July.

Mr. WICKERSHAM. When did you come out?

Mr. McLEOD. In that year, late in October.

Mr. WICKERSHAM. When did you go up the next year, about the same time?

Mr. McLEOD. Early in June, and came out late in October.

Mr. WICKERSHAM. And when did you go up there the next year?

Mr. McLEOD. At the same time.

Mr. WICKERSHAM. And those are the times that you have been in there?

Mr. McLEOD. I have never stayed a winter.

Mr. WICKERSHAM. You are engaged as manager of the Fairhaven Water Company, a ditch company?

Mr. McLEOD. A ditch and a mining company.

Mr. WICKERSHAM. How long is your ditch?

Mr. McLEOD. I think about 42 miles.

Mr. WICKERSHAM. Do you think it is worthless now, and are you abandoning it?

Mr. McLEOD. No; not at all. We have three-quarters of a million dollars invested.

Mr. WICKERSHAM. Was that three-quarters of a million dollars invested upon your judgment?

Mr. McLEOD. Not entirely, because I never knew anything about Alaska before I went there.

Mr. WICKERSHAM. Was the ditch built when you went there?

Mr. McLEOD. No; I went up there for the purpose of looking after the construction of the ditch.

Mr. WICKERSHAM. Who else was up there whom your stockholders had any confidence in in respect to putting their money in the enterprise excepting you?

Mr. McLEOD. Mr. C. J. Gadd and myself.

Mr. WICKERSHAM. Then the money was all put in under your management?

Mr. McLEOD. Yes.

Mr. WICKERSHAM. And you have how much money invested?

Mr. McLEOD. I think three-quarters of a million dollars in the property—the ditch, the supplies, the mining equipment, the horses, and everything.

Mr. WICKERSHAM. And you are still at work?

Mr. McLEOD. Yes.

Mr. WICKERSHAM. And you expect to go right ahead?

Mr. McLEOD. Yes, we took out some money last year, and we are going to take out more this year.

Mr. WICKERSHAM. That is, you are going to invest more money in it?

Mr. McLEOD. Yes.

Mr. WICKERSHAM. How long do you expect it will take you to close up that one claim?

Mr. McLEOD. We expect to be working there for a number of years yet.

Mr. WICKERSHAM. Do you know of any other water companies working on the Seward Peninsula?

Mr. McLEOD. I know of a number.

Mr. WICKERSHAM. Are they working very much as you are?

Mr. McLEOD. Well, I do not know the details of their work.

Mr. WICKERSHAM. But so far as you do know, and so far as you see during your summer trips up there, they are working about the same as you are?

Mr. McLEOD. I couldn't say; I have not examined them.

Mr. WICKERSHAM. You know that the Pioneer Mining Company has invested much more than you have in these enterprises, don't you?

Mr. McLEOD. Not recently.

Mr. WICKERSHAM. Don't you know that they have claims involving many millions of dollars?

Mr. McLEOD. I do not.

Mr. WICKERSHAM. Do you know that that is not true?

Mr. McLEOD. I don't know that it is not true. I know that their ditch interests are not as great as ours.

Mr. WICKERSHAM. You know that the Miocene Ditch Company is very much larger than yours?

Mr. McLEOD. It is not as large; not half the water supply.

Mr. WICKERSHAM. What about the amount invested in it?

Mr. McLEOD. That probably is greater, but it was built at a time when supplies were very much more expensive than they are now, and it was built piecemeal, which of course would take much longer. I believe \$600,000 is what it cost.

Mr. WICKERSHAM. The fact that they had a larger amount invested might have misled me. Do you know of any other enterprises on the Seward Peninsula?

Mr. McLEOD. The Pioneer Company, the Miocene Ditch Company, Wild Goose Company, Taylor Creek Ditch Company, and a number of others. I know most of them.

Mr. WICKERSHAM. And they are all live prosperous-appearing institutions, are they not?

Mr. McLEOD. There has been so much dry weather in the last two or three years that they have not been very successful.

Mr. WICKERSHAM. But otherwise they are doing business?

Mr. McLEOD. Oh, yes.

Mr. WICKERSHAM. And investing money every year?

Mr. McLEOD. Unfortunately some of them had to on account of the lack of rainfall.

Mr. WICKERSHAM. But they have been doing it, and they are all enthusiastic in the hope of making millions out of it, as you are?

Mr. McLEOD. I could not say as to that.

Mr. WICKERSHAM. Do you know that the representatives of the Geological Survey say that there is more placer gold on the Seward Peninsula than there ever was in California?

Mr. McLEOD. I believe their report has said so.

Mr. WICKERSHAM. Don't you think that is true?

Mr. McLEOD. I have no opinion upon that subject.

Mr. WICKERSHAM. Don't you know?

Mr. McLEOD. And I question whether the gold is in paying quantities in certain places.

The CHAIRMAN. What report are you referring to?

Mr. McLEOD. It was a report upon the placers. I think it was a report gotten up by Brooks or Moffitt.

Mr. WICKERSHAM. Those gentlemen are geological experts, are they not?

Mr. McLEOD. I presume you know that better than I do.

Mr. WICKERSHAM. Do you know where the coal mines are on the north side of the Seward Peninsula, on the coast?

Mr. McLEOD. On Chicago Creek, about 16 miles from our camp.

Mr. WICKERSHAM. Have you ever examined them?

Mr. McLEOD. I have been there.

Mr. WICKERSHAM. To what extent is there coal there?

Mr. McLEOD. I believe there is a large quantity of low-grade coal.

Mr. WICKERSHAM. Isn't there other coal on the Seward Peninsula besides that?

Mr. McLEOD. On the Kugrok River above Chicago Creek somewhere.

Mr. WICKERSHAM. What is the thickness of the vein at Chicago Creek?

Mr. McLEOD. I do not know.

Mr. WICKERSHAM. You have seen it, have you not?

Mr. McLEOD. I did not go down in the mine.

Mr. WICKERSHAM. Would you say that it is a thick vein?

Mr. McLEOD. From hearsay I believe there is a large body of coal there.

Mr. WICKERSHAM. Do you know about Cape Lisburne, up the coast?

Mr. McLEOD. I have never seen that.

Mr. WICKERSHAM. You know, that the geological reports show a large area of coal there, do you not?

Mr. McLEOD. I believe so.

Mr. WICKERSHAM. And it has been largely used by revenue cutters and other boats that have gone in that vicinity?

Mr. McLEOD. I had never heard that.

Mr. WICKERSHAM. Do you know whether it is used or not?

Mr. McLEOD. It may have been used to some small extent.

Mr. WICKERSHAM. Do you know anything about tin on the Seward Peninsula?

Mr. McLEOD. Only from hearsay.

Mr. WICKERSHAM. But you know that there are tin deposits there, do you not?

Mr. McLEOD. The geological reports give it, and I have heard of it.

Mr. WICKERSHAM. Between Nome and Cape Prince of Wales, you know that there are people who have invested largely in tin, do you not?

Mr. McLEOD. I could not say. It is around the Cape Prince of Wales section and north of it.

Mr. WICKERSHAM. Isn't it just immediately below the Cape Prince of Wales, along the coast, and back in the interior?

Mr. McLEOD. It may be a little below Cape Prince of Wales.

Mr. WICKERSHAM. There is a large area of tin deposits in there.

Mr. McLEOD. A large area, but nobody has yet developed the situation so as to prove that it would be a valuable investment for a large amount of capital, though considerable prospecting work is now going on. That is my information.

Mr. WICKERSHAM. Do you think that there would have been but few men that would have stayed up there this winter if they could have gotten out?

Mr. McLEOD. That is hearsay. That is the talk I have heard.

Mr. WICKERSHAM. How about your camp?

Mr. McLEOD. We have three men in charge of our affairs in the winter time.

Mr. WICKERSHAM. With a ditch of course you can not utilize it or do any business in the winter time, because it is frozen solid. Is not that true?

Mr. McLEOD. Yes.

Mr. WICKERSHAM. And that is the reason why you leave merely watchmen there?

Mr. McLEOD. Yes; it does not need to be watched, even.

Mr. WICKERSHAM. But that is the reason you leave these men up there, to look after what you have there?

Mr. McLEOD. No, not exactly; for when we send supplies up there in the spring—

Mr. WICKERSHAM. What time do you begin sending them up?

Mr. McLEOD. We will send them up as soon as the hauling is good up to the main camp, and in April, the last of the snow.

Mr. WICKERSHAM. When do you begin work?

Mr. McLEOD. We begin just as soon as the thaw comes. We begin cleaning out the ditch then, and we begin mining in June.

Mr. WICKERSHAM. It is not your purpose to tell this committee that the Seward Peninsula has no mineral wealth left, is it?

Mr. McLEOD. Not at all.

Mr. WICKERSHAM. You do not want to be misunderstood that way? Your judgment is that it has much mineral wealth, is it not?

Mr. McLEOD. Yes.

Mr. WICKERSHAM. It has a large area of mineral wealth?

Mr. McLEOD. I believe so.

Mr. WICKERSHAM. And the mineral wealth is liable to be very much enlarged by new discoveries at any time, so far as you know?

Mr. McLEOD. It might be.

Mr. WICKERSHAM. What about quartz?

Mr. McLEOD. I only know two quartz propositions that show anything.

Mr. WICKERSHAM. Has your attention been given to the discovery of quartz there yet?

Mr. McLEOD. Well, prospectors have been out, but I have never heard of but two propositions that might be good.

Mr. WICKERSHAM. Then there is considerable nickel there about Council somewhere—below Council.

Mr. McLEOD. I have never heard of it.

Mr. WICKERSHAM. Silver and lead—did you ever hear of that?

Mr. McLEOD. I have heard of lead.

Mr. WICKERSHAM. Where?

Mr. McLEOD. North of Nome somewhere.

Mr. WICKERSHAM. That which I referred to is over near Council.

Mr. McLEOD. I have never been in Council.

Mr. WICKERSHAM. And you don't know anything about the situation there?

Mr. McLEOD. No.

Mr. WICKERSHAM. You do not think that the placers of the Seward Peninsula are worked out, do you?

Mr. McLEOD. No; I do not. I believe there is a great big field ahead in the Seward Peninsula for dredging.

Mr. WICKERSHAM. But you believe only for the big corporations, is that it?

Mr. McLEOD. Well, a dredge will cost from \$100,000 to \$150,000.

Mr. WICKERSHAM. And you think that the situation there is going to be controlled by those corporations who put in the dredges, do you not?

Mr. McLEOD. Oh, not necessarily the large ones; they need not all be large. But the capital must be more than in the individual mining, where the ground must be very rich or individuals can not work it.

Mr. WICKERSHAM. Then, you think that that ground now must all be worked by dredges?

Mr. McLEOD. No; I did not say so at all; you can not work the dredges in frozen ground.

Mr. WICKERSHAM. Well, they work the dredges in frozen ground at Dawson, do they not?

Mr. McLEOD. But they have to thaw it first, and that costs money.

Mr. WICKERSHAM. But the Guggenheim Company does that at Dawson, does it not?

Mr. McLEOD. I believe so; I understand that the ground is rich enough to stand it.

The CHAIRMAN. Let me ask you there, how do they thaw that ground?

Mr. McLEOD. It is done by steam, but coal is very expensive, and it costs a lot of money.

The CHAIRMAN. Does anybody know how deep the ground is frozen?

Captain HALL. In Russia it is frozen 700 feet.

Mr. McLEOD. I have been down 60 feet.

Mr. WICKERSHAM. Two hundred feet I think reaches the limit of most of the spots around Fairbanks. I will say that in many places at Fairbanks, and in those valleys to the north of the town, that they go down about 200 feet and then strike mud. They go down through the frozen ground until they get to what seems to be a lake bed, and a mud oozes up.

The CHAIRMAN. Where is the gravel?

Mr. WICKERSHAM. It is below the mud. Have you ever been at Golovin, Mr. McLeod?

Mr. McLEOD. I never was.

Mr. WICKERSHAM. You do not know how many people were there?

Mr. McLEOD. No.

Mr. WICKERSHAM. Have you ever been at Solomon, and do you know how many people there were there?

Mr. McLEOD. No.

Mr. WICKERSHAM. And at how many of the post-offices in the Seward Peninsula have you ever been?

Mr. McLEOD. Probably 8 or 10.

Mr. WICKERSHAM. But never in the winter time?

Mr. McLEOD. No, sir.

Mr. WICKERSHAM. And all you know is what you see up there in the summer time?

Mr. McLEOD. Yes.

Mr. WICKERSHAM. And it is a fine looking country in the summer-time, isn't it?

Mr. McLEOD. Yes, it looks good, and there is a good crop of mosquitoes there too, I might say.

Mr. WICKERSHAM. And a good crop of gold, also?

Mr. McLEOD. Yes, they take a lot of gold out.

Mr. WICKERSHAM. And you do not think that the population is going to be permanent?

Mr. McLEOD. I don't see how it can be permanent after the prosperous mines are worked out.

Mr. WICKERSHAM. But you do say that the placer mines are not worked out?

Mr. McLEOD. They are not worked out now, but they can not last forever.

Mr. WICKERSHAM. Well, after the class of mines that are there now are gone—how are you going to tell whether that is the end or not?

Mr. McLEOD. You would have to ask—

Mr. WICKERSHAM. Brooks?

Mr. McLEOD. Some geologist.

Mr. WICKERSHAM. Mr. Brooks says that there is more gold there than there ever was in California, just on the Seward Peninsula alone.

Mr. McLEOD. There is gold in California that has not yet been discovered.

Mr. WICKERSHAM. I realize that. You do not know whether they are going to make the discovery of quartz in the same locality with the placers?

Mr. McLEOD. No.

Mr. WICKERSHAM. You do not know anything about that?

Mr. McLEOD. No.

Mr. WICKERSHAM. You say that you did not go to that region until 1906, so you do not know anything about the census of 1900?

Mr. McLEOD. No, sir.

Mr. WICKERSHAM. What observations have you made to discover whether or not the population is smaller now than it was in 1906 when you first went there?

Mr. McLEOD. I know there is a less number of people in our district.

Mr. WICKERSHAM. In the Fairhaven district?

Mr. McLEOD. Yes, sir.

Mr. WICKERSHAM. That is on Kotzebue Sound?

Mr. McLEOD. Yes.

Mr. WICKERSHAM. They had an election over there two years ago, did they not?

Mr. McLEOD. Yes; and I had the pleasure of working for you and of getting 51 votes out of 53 in our camp.

Mr. WICKERSHAM. I thank you for that, sir. I want to bear witness not only to the remarkable richness of the Seward Peninsula, but to the remarkably good sense of its people, and I bow to the witness when I say that.

Mr. McLEOD. Let me say that I had not seen Judge Wickersham before now. [Great laughter.]

Mr. WICKERSHAM. I think probably that is a sufficient apology.

Now, what I want to know is whether you have any information that you can give to this committee now to show that the population of that district is decreasing, and to what extent?

Mr. McLEOD. Well, I am positive that the population on the Inmachuk is very much less this present winter than it was the winter of 1906-7.

Mr. WICKERSHAM. What about the summer time?

Mr. McLEOD. It is very much less, because we employed so many more men doing construction work, as high as 400 at one time.

Mr. WICKERSHAM. In construction. Is that the reason you think that the population has decreased?

Mr. McLEOD. I have been speaking of the town of Deering, and I don't think there are there this winter over six white people. There were three saloons in Deering in 1906-7 and only one now.

Mr. WICKERSHAM. But you do think that that country is going to be worked by dredges?

Mr. McLEOD. I think certain portions of the river beds only.

Mr. WICKERSHAM. You are getting ready to go to work that way?

Mr. McLEOD. No; the Fairhaven Company is a hydraulic proposition.

Mr. WICKERSHAM. Now, do you know whether the big corporations are favoring an appointive legislature in Alaska or opposing it?

Mr. McLEOD. I don't know.

Mr. WICKERSHAM. But, so far as yourself is concerned, you are opposing it?

Mr. McLEOD. Yes; I favor an appointive legislature.

Mr. WICKERSHAM. Why?

Mr. McLEOD. Because I am satisfied we would get a better government; because the main proportion of the people are only there in the summer time.

Mr. WICKERSHAM. You have seen a good many of us fellows who have been appointed up there?

Mr. McLEOD. Well, I heard that you made a satisfactory record as a judge at Nome, and it was on that record that I worked hard for you, but if I had thought that you would favor a local government I don't know whether I would have done it or not.

Mr. WICKERSHAM. Didn't you know, from the announcements of my principles, that I would favor and would stand for an elective territorial form of government?

Mr. McLEOD. Well, I don't think your principles got up as far as we were.

Mr. WICKERSHAM. But I think they were expressed in the literature sent out all over Alaska.

Mr. McLEOD. The only literature that I saw was your printed ballots that were sent to me.

Mr. WICKERSHAM. I am glad you got those, and not the announcement of my principles. [Laughter.] How many big corporations are at work now on the Seward Peninsula?

Mr. McLEOD. I could not tell you.

Mr. WICKERSHAM. Very largely that country is getting into the hands of the big corporations, is it not?

Mr. McLEOD. No; I do not think that the corporations that I know of have got very much more property than they had in recent years.

Mr. WICKERSHAM. You know that the Pioneer Mining Company has gobbled up a large part of that country, don't you?

Mr. McLEOD. No; I do not. The Pioneer Company haven't a single interest—

Mr. WICKERSHAM. I mean on the Seward Peninsula.

Mr. McLEOD. Not in the Fairhaven district that I know of, and that is a large district.

Mr. WICKERSHAM. You are familiar with those plants upon the Seward Peninsula, are you not?

Mr. McLEOD. I don't think they have a direct interest in the Fairhaven district.

The CHAIRMAN. Let me ask you, gentlemen, how could a corporation gobble up a large portion of the territory in Alaska? I want to know the method, simply for information.

Mr. McLEOD. They simply acquire it by location, have men who locate the ground—they acquire it by deed and purchase.

Mr. WICKERSHAM. You have heard of such a thing as locating by power of attorney, have you not?

Mr. McLEOD. Yes.

Mr. WICKERSHAM. And the association placer claims?

Mr. McLEOD. I have.

Mr. WICKERSHAM. Governor Hoggatt spoke of those matters in his last report.

Mr. McLEOD. I can not say that I have read his report.

Mr. WICKERSHAM. I am afraid you have not read our declarations of principles very closely.

Mr. McLEOD. I think that the mining laws of Alaska might be amended.

Mr. WICKERSHAM. Do you know that they locate large areas of land there by powers of attorney?

Mr. McLEOD. Oh, yes.

Mr. WICKERSHAM. Under the association placer mining claims; that is what I meant. What I wanted to know was whether you know of other corporations than those that are preparing to invest, or have invested, large sums of money in the Seward Peninsula?

Mr. McLEOD. I have heard of gold-dredging companies that are going to operate up there—individual dredges—in that section this year.

Mr. WICKERSHAM. Of course, they try to get as much ground as they can, and they may continue to get large sections of land.

Mr. McLEOD. Yes; but I don't know whether they try to get as much as they can or not.

Mr. WICKERSHAM. But 20 acres would not be large enough for dredging.

Mr. McLEOD. Oh, no.

Mr. WICKERSHAM. How much do they want?

Mr. McLEOD. Well, about 3 miles of the creek.

The CHAIRMAN. How do the dredges work?

Mr. McLEOD. They use an endless chain with buckets, the same as they dredge in the ordinary way; and they break the dirt up and dump it on the sluices, getting the gold in that way, and the tailings go out of the end of the dredge.

The CHAIRMAN. But they can only work it in the thawed ground?

Mr. McLEOD. If they work it on the frozen ground it has got to be quite rich, for it takes about 20 to 25 cents a cubic yard to thaw the ground, and it costs about 10 to 15 cents a cubic yard to dredge it. A high-power dredge will take up almost any kind of bed rock that can be handled with the pick and shovel.

The CHAIRMAN. Do you have to dig a hole that must be deepened, and do you keep on enlarging the hole?

Mr. McLEOD. As long as the dredge is floating it will dig a hole for itself.

The CHAIRMAN. Wade right into it?

Mr. McLEOD. Yes, and it puts the tailings out behind.

The CHAIRMAN. It starts in on a certain level and continues right along.

Mr. McLEOD. Of course you can not change your level of water, but in certain sections they lower the water in the pit and get down to a deeper level.

Mr. HUMPHREYS. How many of the corporations that have invested in lands on the Seward Peninsula have got their money back?

Mr. McLEOD. I think the Wild Goose Company has taken out about \$10,000,000, and that the Pioneer Company has taken out about \$11,000,000. They are the only ones that I know of really that have taken out very large amounts of money. But there are a lot of individual miners and small companies of Nome that have taken out large sums of money.

The CHAIRMAN. How about the grade of coal there? Has your attention been called to the coal in the vicinity of Nome?

Mr. McLEOD. I know of no coal in the vicinity of Nome.

The CHAIRMAN. Judge Wickersham asked you about some coal upon the Seward Peninsula.

Mr. McLEOD. The Chicago Creek coal is 16 miles from our claim.

The CHAIRMAN. Is that a lignite coal?

Mr. McLEOD. It is a low grade. We regard it as about 40 to 50 per cent efficiency as compared with the British Columbia coal.

Mr. Chairman, I would like to correct one thing that I said a moment ago about the gold that had been taken out. I stated that the Wild Goose Company had taken out about \$10,000,000 and the Pioneer Company about \$11,000,000. Of course that is gross, you know.

Mr. CANDLER. As to these ditches, what are they?

Mr. McLEOD. They bring the water down from an elevation to the placer mines. To get the water pressure we run the pipes from elevations. I think there have been about four or five million dollars spent in ditches in the Seward Peninsula.

Mr. HOUSTON. You spoke about one company taking out \$10,000,000 and another \$11,000,000. At about what cost did they take it out?

Mr. McLEOD. I have no idea. I am not interested in those companies. I think the Pioneer Company paid 43 per cent on \$5,000,000 since they started. That stock, of course, does not represent the cash investment. They paid 12 per cent this last year on some \$5,000,000.

Mr. WICKERSHAM. Five million dollars represented their optimistic idea of what was in the ground, and they capitalized that?

Mr. McLEOD. Oh, yes.

The CHAIRMAN. We are glad to have had you before the committee, Mr. McLeod.

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U. S. Cong. HOUSE OF REPRESENTATIVES
" COMMITTEE ON THE TERRITORIES

GOVERNMENT FOR ALASKA

STATEMENT OF

HON. A. SPRING
OF FAIRBANKS, ALASKA

APRIL 12, 1910

SIXTY-FIRST CONGRESS, SECOND SESSION

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GOVERNMENT FOR ALASKA.

COMMITTEE ON THE TERRITORIES,
Tuesday, April 12, 1910.

The committee was called to order at 10.40 a. m., Hon. Edward L. Hamilton (chairman), presiding.

STATEMENT OF MR. ABE SPRING, OF FAIRBANKS, ALASKA.

The CHAIRMAN. Mr. Spring, you are the ex-mayor of Fairbanks?

Mr. SPRING. Yes, sir.

The CHAIRMAN. I understand that you will be heard upon the Alaska government bills. You may proceed, Mr. Spring.

Mr. SPRING. Mr. Chairman and gentlemen of the committee, I have prepared a short statement of four or five pages, which comprises the different points that I desire to draw the attention of the committee to and which I will largely confine myself to. I would like to say, however, that there have been a good many people before you and a great many things have been said to you, and while I do not claim that he who has permanently resided in Alaska is peculiarly entitled to any more consideration than some of the others, yet I do desire to fasten to your minds this fact, that a great many people have come before you representing themselves to be genuine Alaskans, but in a real sense they are not, they being men in most instances who have never lived there a single winter. I am one of those who believe that, although a man might have lived in Alaska ten summers, and might come before you and truthfully, to that extent, represent himself to be a resident of Alaska, yet I do not think he would know the real underlying conditions in the Territory, and that the man who has lived there continuously will be able to give you more accurate information and his judgment will be better than those who have spent the bulk of their time away from there. I believe that to be a fundamental fact, and I make this statement because I want you to get to the bottom of things.

A little more than four years ago you gentlemen were considering several railroad bills then pending. I gave testimony relative to the resources of Alaska, especially as to the interior thereof. I then said that no Alaskan would have a right to ask national assistance for railroad lines to mines, whether these mines be placer or quartz, gold, copper, or coal; but every Alaskan has both reason and right to ask national assistance to trunk lines of railroad which will aid in opening up the entire country and develop the agricultural, as well as the mineral, resources. When I speak of the "right," you might say, "Do you contend, then, that every section of the country that has mineral and agriculture is entitled to have the Government build the railroads

for them?" I will answer that by saying that every primitive section is entitled to that; but, irrespective of whether it is or is not entitled to it, no new country has as yet, to my knowledge, no new country anywhere, built railroads by private capital alone. There have been railroads built in new countries by private capital for the purpose of reaching certain mines; but no trunk lines have yet been built in a new country for the purpose of opening up that new country without government aid.

The CHAIRMAN. Are you familiar with railroad construction, say in the southern end of South America? Under what conditions was the railroad constructed from Argentina through the Andes, and recently connected with railroads in Chile? Do you know?

Mr. SPRING. I don't; no.

The CHAIRMAN. Well, I do not myself, but I did not know but that you may have looked into it.

Mr. SPRING. I may have used my illustration in a very broad and comprehensive way, but when I speak I speak generally, yet I still mean to confine myself to the white people. I mean to confine myself to the things that most strongly concern us; in other words, I intend and mean to be practical.

Had Congress then passed the bill, recommended by the administration, I assert unhesitatingly that we would have treble the population which we have now, and in a slight measure we would now be assisting the nation in solving its problems about scarcity or dearth of wheat.

Mr. HUMPHREYS. Just what do you mean by saying that you would then be in a position to help the rest of the country to solve the problem as to the dearth of meat?

Mr. SPRING. I said wheat, although I might apply the term to meat also, although I am not so sure of meat as of wheat.

The CHAIRMAN. Do you think that you can grow wheat up there?

Mr. SPRING. I know that we can grow wheat in that country, and if it were carefully cultivated now we would be growing and shipping a little bit.

Mr. HUMPHREYS. Do you mean by that that you think you could grow more wheat there than the population would require? I do not mean the present population, but a reasonable prospective population?

Mr. SPRING. Under our present system of commerce, our system of transportation, wherever there is wheat raised there is wheat shipped, although there may be other cereals brought from other sections. But remember this: We would not have to ship our wheat as far in order to get it to the seacoast as you ship wheat from the Palouse country to Puget Sound, and our mountain ranges which we would have to cross would not be as bad. The distance is less from the Tanana Valley to the coast than it is from the Palouse country to Puget Sound, or even to the Columbia River.

Now, in regard to population, I base my assertion on the well-substantiated fact that people follow in the wake of railways. One cardinal point seems to have been entirely overlooked by all the gentlemen who have testified here, and that is the high cost of getting into the interior of Alaska. Permit me to call your attention to the fact that, notwithstanding the wonderful growth and prosperity of the western slope, all our transcontinental lines are still giving an

extra low colonist rate every spring to induce the congested East to migrate to the West. I think you have a \$50 rate to the West every year from about the 15th of March to the 15th of April, it being cut down by about 33 to 35 per cent from the ordinary rate of fare.

Those of us who know the Canadian Northwest, especially the Yukon portion thereof, and are acquainted also with the interior of Alaska, know to a certainty that Alaska has vastly greater alluring inducements to offer to the settler than has Canada, and yet to Canada went last year alone over 90,000 sturdy Americans, with good money in their pockets, to settle that country, while we are losing our people.

Mr. HUMPHREYS. Can you state the relative temperature between Alaska and this Canadian country where these American farmers have gone?

Mr. SPRING. In using the word "Alaska" I did not mean to be understood as referring to the entire Alaska. I particularly alluded to the valleys of the interior. I should judge that the climatic conditions are more favorable there than they are in the Canadian Northwest.

The CHAIRMAN. With what part of Canada do you compare the Tanana Valley and the Kuskokwim country?

Mr. SPRING. The country that the Grand Trunk Pacific is now opening up, the country down toward Prince Rupert.

I challenge contradiction to this positive statement which I am making here, that in point of climate, of shelter from coast winds and prairie blizzards, of fertility of soil, of abundance of game and fish for the pioneer settler, of close proximity to mineral resources, thus affording a local market for agricultural products, the Tanana Valley is in every way superior to every portion of the Canadian Northwest. You ask me how does Canada procure these astounding results? I answer by taking three effective and essential steps. First, it gave that vast outlying wilderness peace, safety, and protection through its Northwest Mounted Police. It did not haggle about hairsplitting technicalities. It acted; it did things.

Second. It followed up the strong arm of the law with the yet stronger iron horse of the railroad. The Canadian government, practically, is raising the money on its own credit to enable the Grand Trunk Pacific Railroad Company to build to its terminal at Prince Rupert with push and vigor.

Third. It is advertising that country by the most intelligent, modern methods, and is giving to the intending settler an unprecedentedly low railroad rate, not only to him and his family, but to his stock, to his farming implements, to his household goods; in fact, to everything that he wants to take with him to settle comfortably in a new country.

Outside of a very small roving brigade which goes to every new gold strike, it is well known that well-to-do people are not the ones who usually do the world's pioneering; men, even of limited means, say the lower middle class, are not particularly looking for new hardships to conquer. It is the poor man that Alaska must look to for its population. The man who has \$250 or the family which has \$1,000 for traveling expenses do not usually seek a new country where the so-called pleasures and amusements of civilization are yet missing and the luxuries and the social flourishes will be lacking for

years to come, and these are approximately the two respective amounts required to go to Alaska.

Now, no criticism is intended, and no fault is to be found with Congress for not then passing the railroad bill.

Mr. HUMPHREYS. Please make a statement here that would clear the matter up in my mind, and probably of others; an authoritative statement from the Weather Bureau, if you have one, showing the climatic conditions, especially with reference to the state of the temperature in the Tanana Valley and those other valleys in Alaska, and also in those portions of Canada which are attracting American settlers. I think that would be very interesting and very valuable.

Mr. SPRING. I do not want you to consider me as trying to criticise or to teach, and I don't want you to take what I say in a hard spirit or an erroneous spirit. Now, you have just asked me about the climate, and there have also been questions asked here in regard to coal. Yet the answers to both of those questions are easily within your grasp upon the telephone, because you can converse with an expert upon the climatic conditions, Lieutenant-Colonel Glasgow, of the Signal Service, who has printed a report for winter after winter of comparative statistics covering sixteen or eighteen different points. You can get that and all the information that you want by asking him to come before you, while I can only give you hearsay testimony upon that point. And it is the same in regard to the coal. Mr. Brooks, of the Geological Survey, can give you in one hour first-hand information in regard to coal which will clear that subject up. I have read the statements before you, and no matter how well intended they may have been, they have been forced to give you hearsay testimony only. There was one statement made before the Senate committee by an expert, but with that exception all of the statements made here have been based upon second-hand information. I think the committee ought to ask those gentlemen to appear before it, so that their statements may appear in the record.

Then, as to the weather. Whether I am optimistic, wrong, or right, those statistics are all available to the committee.

Now, the testimony given before this committee—I am alluding to the winter of 1905-6—in relation to the railroad bill was so conflicting, so bombastic, so stupendously preposterous, that no self-respecting legislative body could give it countenance. I think that you gentlemen will remember those statements, and that you will recollect that they were practically ridiculous. But four years and more have passed since I first stood before you, and all the witnesses whom you heard this winter agree that we have less population to-day than we had then. We are less in a position to help ourselves or to help the nation than we were then. Patchwork begun by Congress in 1899 with the passing of the Criminal Code, and pounded upon year in and year out ever since, and given to it by your committee more time and attention than to any other one subject, has, despite all your generosity, despite all your best intentions, proven a failure.

Gentlemen, the proof of the pudding lies in the eating. Eleven years of earnest, incessant effort proves that it is in the nature of things impossible for Congress sitting here in Washington to legislate constructively and intelligently for Alaska. It is not only the distance of five or six thousand miles that stands in your way, but it is the utter newness of things which confront you. The climate and moss-

covered surface conditions are such that you can not possibly understand unless you were to live there. It is inconceivable to you, I think, that when I stand here and say that the climate of Fairbanks is probably much more comfortable this morning than it is here, that you would believe it to be true.

The CHAIRMAN. I hardly think it is inconceivable to me.

Mr. SPRING. Yet it is true.

The CHAIRMAN. Considering this particular morning.

Mr. SPRING. And let me make another illustration. When I speak of raising wheat there, the question of temperature immediately arises before you; and the fact that the Yukon River stands frozen solidly for more than six months. And yet you can not conceive, on the other hand—you forget, I might say—that we have for fully sixty days between twenty and twenty-two hours of sunshine out of every twenty-four hours, and that surely must offset many of the conditions which are against us.

Mr. WICKERSHAM. Allow me to correct you in one respect. The Yukon River does not stay frozen up for six months.

Mr. SPRING. So much the better, but that is my point.

Just as it is impossible for Congress to give consideration to all the bills introduced at every session, and just as Congress must depend on its committees to sift the chaff from the wheat, just so it is impossible for you to know the motives behind every project which is presented to you and to decide which is or is not for the best interests of Alaska.

A legislator must know not only the country for which he legislates but he must have a comprehensive knowledge of the men and organizations which are behind the projects presented to him.

I have taken pains in writing out the few thoughts above submitted, for the reason that I was anxious that you gentlemen should thoroughly understand my viewpoint of the entire situation.

I have always been patient, have always been appreciative of the sympathetic efforts which Congress has from time to time made to aid us, but when admitted facts, inevitable conclusions, face us, it behooves us to look them squarely in the face. Much has been said before you gentlemen as to what kind of a legislature, appointed or elective, Alaska would prefer. That is a matter which is not nearly as important as either the administration or the Delegate from Alaska seem to think. However, my views can best be brought out by you gentlemen asking me such questions as you desire, because at best the fact that we need a local legislature is no longer subject to debate, but the kind that we should have is a matter that must be thrashed out by talking and debating.

The CHAIRMAN. Now, Mr. Spring, first, you have discussed the advantages of the Tanana and the Kuskokwim valleys in comparison with the Canadian country. Next, you discussed the importance of railroads in Alaska, and you advocate government aid in the construction of railroads in Alaska. Since you appeared before this committee four years ago there has been some considerable increase in railroad construction in Alaska. I refer particularly now to the standard-gauge road being constructed up the Copper River, and I think at the time that you appeared before the committee the Alaska Central road had only constructed about 35 miles, and since that time it has reached about the eightieth mile, I think. At that time

the Fairbanks and Chena road did not have quite the mileage that it has now. That is a narrow-gauge road. I think some members of this committee have felt that the resources of Alaska, of which you speak so well, would induce railroad investment. What do you say as to present conditions in Alaska continuing to induce investment by private capital without government aid?

Mr. SPRING. The conditions that existed then are precisely the conditions that exist to-day. In no way has the building of several miles of railroad, which has been built, affected the existing conditions, for the reason that not one of these lines pretends to be anything else but purely mining railways. They may talk differently, but such is the fact. There is one that is projected to enter the Matanuska coal fields, another the Copper River country, and then—Mr. Joslin's line—which is purely a local line to haul freight from the supply point out to the placer mines.

The CHAIRMAN. I think what you say is largely true, but take for illustration the Alaska Central Railroad, and assume that it be extended to the Matanuska coal field. To get there will require the construction of about 150 miles of railroad approximately, will it not?

Mr. SPRING. Yes; probably 60 or 70 miles more than what it has now.

The CHAIRMAN. That road is projected to Fairbanks.

Mr. SPRING. Yes.

The CHAIRMAN. When it has been constructed 150 miles, say, into the interior, isn't it likely that if further inducements shall be offered to that road, such, for instance, as the development of Crow Creek gold country—I believe there is such a country there, although I have not looked it up for some time—and other mining possibilities to the northward, then is not there a possibility of the further extension of that road as business shows reason for it?

Mr. SPRING. Mr. Chairman, all I want to say to you is that all things are likely, but it is not probable, because if that road ever gets to Matanuska coal field, it will take ten years to develop the coal market so that it will pay dividends on that investment.

The CHAIRMAN. Ten years?

Mr. SPRING. Yes; it will surely take that much time.

The CHAIRMAN. Let us talk about that a minute, because that is important. The Matanuska coal field and the Bering River coal field are the best known coal fields in Alaska, and I believe the best known coal fields known to the world, because they have been discussed a great deal of late. The Bering River coal field is in the neighborhood of 35 miles inland.

Mr. WICKERSHAM. Twenty-five to 35 miles.

The CHAIRMAN. Yes; now, it has been stated before this committee that there is practically no coal around the whole rim of the Pacific Ocean excepting the Alaskan coal, and the coal of British Columbia. It is settled by testimony before this committee that our ships on the Pacific are being supplied with Welsh coal shipped at great expense, and that we pay as high as \$12 and sometimes \$14 a ton for that coal; and that this Alaskan coal could be laid down at seaboard for less than \$4 a ton, with a reasonable profit to the producer. Isn't that true?

Mr. SPRING. Pardon me, Mr. Chairman, but whether the Alaskan coal can be laid down for \$4 a ton or not I am not prepared to say.

The CHAIRMAN. Well, say \$7 a ton.

Mr. SPRING. But take my advice, you have got to build ships; and there is one thing that you should bear in mind as business men, and that is that it takes years to dislodge a well-established line of commerce. The Pacific coast has kept on growing, and is advancing and is using the Australian and the British Columbia coal, and you would have to go into the market with the Alaskan coal as a competitor. You would have to dislodge that well-established trade, and I maintain that that requires years. I don't say that it will not be done, and I don't say that it is not practical; but what I want to say to you is, as my main idea, that it is a question of years before that market can be established. And then I want to impress upon you this, that when a railroad company, meagerly financed, finally strikes its goal, namely the coal mine, and is beginning to earn a little money, and then will require additional millions to conduct its business, they will begin to clamor for dividends, and they will devote their energies entirely to the coal fields, which of course would be a good thing in a way—and I am not speaking of it disparagingly—but what I want to draw your attention to is that when you speak of the agricultural resources being developed through that channel, the whole thing does not present itself to you as it does to me, because I have lived up in that country. And I want to show you the difference.

The CHAIRMAN. Are you not just at the beginning of your agricultural development?

Mr. SPRING. Yes; because nothing has been done. Who has been there to develop it? The miner?

The CHAIRMAN. But, Mr. Spring, you have a population in the Tanana Valley, in and around Fairbanks, of somewhere in the neighborhood of 7,000 people, have you not?

Mr. SPRING. More than 7,000 people in and around Fairbanks. I should judge about 10,000.

The CHAIRMAN. It has been estimated as high as 9,000, and I am told the population in and around Fairbanks, the mining population, is about 7,000. Now, you have to feed that population out of the valley. You should do it, but you do not do it. You are feeding them with imported food, largely. You have a rich valley there. This committee has had on exhibition here the products of the Tanana Valley. You have just recently discovered that you can grow wheat there, and fine vegetables. And you do not have to ticket your cucumbers, in order to secure them (as was stated by the witness who testified here yesterday), as they have to do in the Nome country. But, first of all, when you demonstrate that you can feed your population out of your own resources, then would it not begin to furnish an argument for the extension of the railroads to accommodate your traffic? And when you have done that, would it not be possible, if there is mineral wealth enough between Valdez and Fairbanks, to have a road constructed, without government aid, in the direction of Fairbanks from Valdez, which would carry the mineral and the agricultural business that would be developed in the interior? Take that up, if you will.

Mr. WICKERSHAM. Just a minute. How many people are there in the Tanana country, Mr. Spring, in your judgment?

Mr. SPRING. In Fairbanks, and the immediate mining territory, I should judge between ten and twelve thousand, according to my

experience there. But the point that I desire to call your attention to is this: That population there is not a farming population. Farmers don't grow on trees. We have a mining population, although when the mining man finds that he can take a small space, probably four times the size of this room, and raise all of his vegetables there, he does that; or, when he further finds that he can enlarge the space a little and grow a little more, and that he can raise vegetables to sell, then it is an immediate inducement for him to work in his garden. As a result of this, last year the total amount of vegetables imported to the Tanana Valley was not over 25 per cent of the total amount consumed. Of course, the man is still a mining man; he is still working for four or five months at his trade, and the city lots there are in size 50 by 150 feet. But you have been speaking of a different population entirely, the population that has been going into Canada, where very much larger tracts of land can be laid out and fenced and cleared, and where a man would devote his entire time and attention to it.

The CHAIRMAN. Prices in Alaska for foodstuffs, in the Tanana Valley, for illustration, are said to be high. I suppose that is true, is it not?

Mr. SPRING. Naturally; you must figure on the freight.

The CHAIRMAN. The freight rate is very high. Now, you have a fertile valley there, according to all the testimony, and I should think the high prices of food ought soon to induce cultivation of your land on a considerable scale.

Mr. SPRING. But do not fail to differentiate in your mind between water food and dry food, and I am not now using technical terms. When you speak of cabbage, carrots, and potatoes you are speaking of a ton—and there the freight is by the pound, and the local raiser of vegetables has a leverage of at least \$50 a ton upon the freight alone. But when you speak of wheat, although it costs \$50 a ton, yet it is dried out, and you must speak comparatively of the number of pounds of vegetables used in a year with the number of pounds of wheat. And when you speak of raising wheat you are not speaking of raising it for that particular locality, for no country becomes a wheat-raising country for the purpose of supplying the local consumption. For instance, when I was in Seattle I used wheat that was raised away over in Manitoba, while perhaps others there bought the Palouse wheat raised in the Palouse country. And wheat grows all over the world; and you want to differentiate those two things that I am trying to explain in your minds.

Now, I am asking Congress to assist in building a trunk line, so that there will come in there the man with his wife, his children, his tools, his cows, his horses, and all. I am speaking of a different situation from the men who would work the ground there purely for vegetable purposes.

The CHAIRMAN. Some time ago, I think, Mr. Spring, the last time I saw you before this present visit, you were thinking of trying to induce immigration to Alaska of people from Poland and Russia.

Mr. SPRING. Yes.

The CHAIRMAN. What, if anything, has been accomplished in that way?

Mr. SPRING. I will say this: At that time I had an idea—perhaps I have the same idea—that if I could organize a placer mining con-

cern which would be satisfied with very small returns upon the invested capital, but whose ulterior object should not be mining, but sufficient mining to give employment to many men, men who physically and mentally would possess the ability to cultivate successfully that country, then we would gradually evolve farmers from them. But I found that that would require a much larger amount of capital than I am able to raise. I did not say then that I had the millions to do it with, and I do not wish to leave that impression with the committee now. But, on the other hand, when I speak of the railroads, I know this: That as you build a line of railway, with the iron and the steel work and all, you must hire laborers, and while I do not say that every one of the laborers that you will hire will necessarily be a man who can become a farmer, yet I might take a proportion out of those men, when they are laid off in the fall of the year, and instead of their going out of Alaska, and blowing their money in on the coast at the saloons and for other things that they could probably use their saved-up earnings with which to take up a piece of land and cultivate it.

The CHAIRMAN. Now, Mr. Spring, I want to call your attention to the bills now being considered by this committee to provide some sort of a local government for Alaska. You have examined these bills, have you?

Mr. SPRING. Yes.

The CHAIRMAN. What, in your judgment, would be the better, an elective legislature or an appointive legislature for Alaska?

Mr. SPRING. Mr. Chairman, there is no question as to what, in my judgment, would be the better—

The CHAIRMAN. First of all, I want to ask you how long you have lived in Alaska.

Mr. SPRING. I have lived there since May, 1897.

The CHAIRMAN. And your home is in Fairbanks?

Mr. SPRING. Yes; and has been there since the spring of 1903. Now, as to this legislature, it is not a question as to what, in my judgment, would be the better, either elective or appointive. My judgment is not taken into consideration, for in an American country an appointive or an elective legislature is not a question of judgment. Ultimately you are bound to have an elective legislature. Just as sure as the tides ebb and flow, just so sure will you have a democratic form of government, which means an elective legislature. This whole inquiry, therefore, addresses itself to time limits. Frankly I say to you that I do not want elections right now. I want money invested; I don't want elections. I don't want politics. I do not want the saloons to have a market for their whisky by virtue of the elections which we might have.

The CHAIRMAN. You say you do not want politics. Can you avoid politics in Alaska any more than you can anywhere else where American people are gathered?

Mr. SPRING. I can stave it off as long as I can.

The CHAIRMAN. Don't they have politics there now?

Mr. SPRING. Let me go one step further. I question whether there is a single Territory or State which would not gladly undo the work done by its first or second legislature. I have in mind my own State before I went to Alaska, the State of Washington.

There the legislature sat unlimitedly enacting a code, and what they did was disgraceful.

Mr. GOOD. Would you reason from that that Congress was hasty in admitting those Territories as States, and that it would have been better if the admission of such Territories had been delayed?

Mr. SPRING. I would reason from that that there should have been a provision in the enabling act that the first legislature of the State of Washington should have had a legislative session for the purpose of formulating intelligently a code, and that after it had sat for the purpose of framing a code, either adopt it or reject it, and then adjourn.

Mr. GOOD. But that would not remove all the possibilities of mistakes.

Mr. SPRING. No; and I do not think that an appointive commission would remove all of the abuses.

The CHAIRMAN. In other words, you want them to serve somewhat under restraint?

Mr. SPRING. Practically; yes. What I mean is this: As the administration measures stand now I understand it is the intention first to appoint in Alaska bona fide residents, people who have lived there a sufficient length of time to acquire the voting right—bona fide residents. And in that legislative council I think undoubtedly that would be better. I mean by that process you would be able to make a better selection than would the masses by an election.

Mr. MCKINNEY. Can you avoid the mistakes of the early sessions of the legislature in the Territory or State, such as you referred to a while ago?

Mr. SPRING. I think the administration measure tends to do that.

Mr. MCKINNEY. Take it in the case of Oklahoma. There we had the largest population of any Territory ever admitted. but undoubtedly they made blunders. And does not every session of a legislature in every State make more or less blunders?

Mr. SPRING. That is perfectly true, but still you must bear in mind that Oklahoma had a population of over 800,000 when admitted, and now has probably 2,000,000 of people. And it covers a much smaller section of territory than does Alaska. But over and above that, when you speak of Oklahoma, or Arizona, or Oregon, you are simply speaking of an addition, so to speak, of a State with which you are personally acquainted. But when we speak of Alaska we speak of an entirely new proposition. Do you get the idea? You can not compare the two. I can't see what reasonable objection there can be to making a beginning in the manner suggested by the administration bill. You ask me why. I answer simply because, gentlemen, I want the administration and Congress to stand behind us. If you are going to give us a legislature, give us one in which you will have confidence. Don't say to us: "You have come to us often enough. Here goes; take it and quit." I don't want that, because, mind you, I want Congress as my partner in that respect. I want the United States and Alaska to be partners.

Mr. WICKERSHAM. You want Congress as a partner, but not the people.

Mr. SPRING. I am not trying to differentiate; I am trying to speak in a broader term. In other words, the question has come up before you, gentlemen, as to whether the Alaskan has not the right to

Alaska in preference to any other American citizen. Now, the right that is often spoken of, as to the nation having paid seven millions and a half for it, and all that sort of thing, does not enter into consideration. I say frankly that I do not want Alaska alone. It is no good to us alone. The United States has got to be behind us. If we are going to sell our coal we can never market it excepting in some national market through national assistance. Whatever we are going to do in there we have got to do hand in hand as partners. We must work together. If you, as a partner—Congress and the administration—do not think that as yet we, the other partner, should come in by having an elective legislature, then I say we will take an appointive one, take anything we can get, and the best we can get. But let us begin to work together. That is my principle.

Mr. McKINNEY. You are the mayor of Fairbanks, are you not?

Mr. SPRING. I was at one time. I may say that I incorporated Fairbanks.

Mr. McKINNEY. How did you become mayor?

Mr. SPRING. I was elected by the council. There was no election for mayor, you understand, but the council elects. I was elected by the people to the council. I was one of the first. Judge Wickersham was then the presiding judge. I made a trip out at my own expense, came down here and got the incorporation papers, the Judge helping me—we worked together—we got the petition before the court and went through the whole process without having one single cent paid out in any way except the court costs.

Mr. McKINNEY. You do not think the people make a mistake in selecting you for mayor, do you?

Mr. SPRING. Well, now, I will say that I could not be elected again to-day. Let us be frank about it. I do not want to divulge—one can not stand in a public body, you know, and fully explain local conditions, although you ought to have some idea.

Mr. GOOD. I have tried to follow you in your statement, that if the States of the Union now had it to do over again they would like to rewrite the laws that were passed at the first sessions of their legislatures. I would like to know upon what you base that statement. You certainly do not base it upon the first Congresses of the United States, because those men were experienced lawmakers, were they not?

Mr. SPRING. Our first Congress was a very slow process of evolution.

Mr. GOOD. In what States of the Union was there such a condition?

Mr. SPRING. All of the Western States. Take the omnibus bill, admitting three or four of the States—

Mr. GOOD. Now, I come from a Western State, the State of Iowa. We are proud of the acts of our first legislature, and in fact we have been "pointing with pride" to them and "viewing with alarm" some of the recent acts of the legislature.

Mr. SPRING. We in the far West do not consider Iowa a Western State. I do not consider it so.

Mr. GOOD. You stated that you were from the State of Washington. What other States did you refer to?

Mr. SPRING. All of the four States admitted by the omnibus act—the two Dakotas and Montana and Washington—I don't know about the Dakotas, either, but it is true with respect to Montana and Washington.

Mr. WICKERSHAM. What you are trying to tell this committee is that the first session of the legislature of the State of Washington did pass bad laws. Isn't that it?

Mr. SPRING. Yes; a whole lot of them.

Mr. WICKERSHAM. What one?

Mr. SPRING. Well, when Lawton was the lieutenant-governor and the presiding officer of the senate, everything went to——

Mr. WICKERSHAM. But we are not talking about Lawton, but about some law passed, some bad law, by the legislature of the State of Washington. I want to say to this committee that there was not any such law passed; I want to say that that first legislature was a good legislature, and that the results of its work were beneficial. I want you to say, Mr. Spring, what law was passed that was not beneficial to the people of Washington.

Mr. SPRING. I was referring to Governor Ferry, who had been taken sick and who was down in California, and who had to be brought back on a sick bed in order to take the government out of the hands of the lieutenant-governor, Lawton, who, with his legislature, so to speak, were then practically giving away the State. And those are the facts.

Mr. WICKERSHAM. But I think you ought to be able to give some information besides just that statement.

Mr. SPRING. I have given you the facts about the governor being brought there on a sick bed and put back in the capitol, and who ousted the lieutenant-governor because conditions that I have described prevailed. I think I confine myself to the facts when I say that.

The CHAIRMAN. You say that the administration of the lieutenant-governor was so conducted as to give away the resources of the State; that the legislature was in session and was cooperating to that end; is that it?

Mr. SPRING. The whole thing.

The CHAIRMAN. And that the laws they were passing were to that end?

Mr. SPRING. Let me say one thing more——

The CHAIRMAN. I was only trying to deduce a bill of particulars in response to Judge Wickersham's inquiry.

Mr. WICKERSHAM. He can not do it.

The CHAIRMAN. Perhaps that statement will help some.

Mr. SPRING. I may seem to be extremely ridiculous or extremely ignorant, but the fact remains that our legislative council will have dual functions—that of legislating, which you can always negative, and that of recommending to you original and constructive acts, which alone can be of value in opening up the territory.

Mr. WICKERSHAM. Now, right there: Wouldn't that be true of the legislature itself if it were elected?

Mr. SPRING. As far as their legislative powers are concerned, undoubtedly so. But it will have another power, and that other power—namely, preparing for Congress well-matured constructive acts—can best be carried out by an appointed body, a body which will have the confidence and respect of Congress and the administration. Understand, my remarks here apply to the first few years. Just so soon as the proper broad foundation has been laid, just so soon can executive officers be eliminated from the legis-

lative functions, and the legislature could with safety become entirely elective.

Mr. WICKERSHAM. What data will it gather which is not already gathered by Mr. Brooks and these other men that you have been talking about?

Mr. SPRING. They will take the data that Brooks gathered and compile it in a legislative memorial which Congress will give attention to. This Committee on Territories has not yet sent for Brooks.

Mr. WICKERSHAM. But the committee could send for him.

Mr. SPRING. And go through the mass of evidence which Brooks will give them?

Mr. WICKERSHAM. Don't you know that all that mass of evidence has been sifted down into tables and put in statistical form, so far as figures are concerned?

Mr. SPRING. One of the most intelligent critics of American institutions, the present ambassador from Great Britain, Mr. Bryce, writing in 1884, feared then the utter inability of Congress to give attention to the multifarious businesses that come before it. You will probably remember that part of Bryce's American Commonwealth. But he rested his faith in the future of the country in these various committees. Now I say to you, and I say it very frankly, that what he saw then I see now with reference to the relation of Alaska to this Committee on Territories of this House of Congress. It is impossible for this Committee on Territories to act intelligently. I would not say that if this committee could take a trip every year to Alaska and be there for four or five months but what they could come back here and do just as well as a local council, but they do not do it. And you have got to know the men who come before you, and you have got to know the motives behind them.

The CHAIRMAN. That is true.

Mr. WICKERSHAM. Now, upon the subject of motives. You were in Alaska when I was elected a Delegate to Congress?

Mr. SPRING. Yes, sir.

Mr. WICKERSHAM. You assisted in the preparation of the platform upon which I was elected, did you not?

Mr. SPRING. I won't say that I did.

Mr. WICKERSHAM. But you were consulted about it, were you not?

Mr. SPRING. I never read a platform through in my life.

Mr. WICKERSHAM. You read it over and approved it, and you voted for me, didn't you?

Mr. SPRING. I voted for you; certainly.

Mr. WICKERSHAM. You were one of the people who got out and worked for me, and you felt that I was bound to stand by that platform, did you not?

Mr. SPRING. Yes.

Mr. WICKERSHAM. Why don't you stand by it, then?

Mr. SPRING. By what?

Mr. WICKERSHAM. The platform.

Mr. SPRING. I don't see where the platform is in any way being attacked.

Mr. WICKERSHAM. Didn't that platform pledge you and me both to secure from this Congress, if we could, a legislature for the Territory of Alaska to be elected by the people? You can answer that question, can you not?

Mr. SPRING. If a man is going to hold up every word that has been said in every political platform upon which men have been elected—

The CHAIRMAN. I think Mr. Wickersham has put to you a very important question.

Mr. SPRING. But I have not answered the question yet.

The CHAIRMAN. I think we ought to have an opportunity to go into that, for it is an important question, because it affects your relation to the people.

Mr. WICKERSHAM. Yes; it affects my relation, and I won't change it.

The CHAIRMAN. If you were convinced to the contrary, you might change?

Mr. WICKERSHAM. No; I would not, because the people of the Territory of Alaska elected their Delegate overwhelmingly upon that platform, and any man who would come down here under those circumstances, elected as he was, would be betraying the people of the Territory if he acted to the contrary. Mr. Spring, of course, is not in that attitude, because he was not elected. He is a private individual, and he has a right to change his mind if he wants to, and I do not criticise him for it.

The CHAIRMAN. But you are a logical man, and you could not have been a successful judge, as you have been, unless you had the logical faculty well developed. You were elected on that platform. Let us assume that you believed that the declarations in that platform with reference to the government for Alaska were right then. Now, let us assume that as a logical man, a thinking man, since that time by careful consideration you had arrived at a conclusion which is not in harmony with the platform upon which you were elected, and which you then believed in; that you have arrived at the conclusion that now it would not be the best thing for the people whom you represent. I admit that that presents a most difficult situation to a Representative, but still there is a question involved there—because it comes home to every Representative in a representative form of government—if your conscience and your judgment are convinced as to a situation, whether that means that you will not act according to your best judgment after that.

Mr. GOOD. What would you say to this, Mr. Chairman, that even though the individual representative became conscious that he was wrong, yet the people whom he represented were attached to the original principles in the platform declaration, believing that they were correct, and that they ought to be enacted into law; what would be the duty of the member in that case?

Mr. SPRING. I would like to answer that. Now, gentlemen, I have no intention of criticising Judge Wickersham, his personality; I want to avoid that. There has been a good deal of that going on before this House. But to get down to the facts about this platform and about these people being so imbued with this idea of a legislature, I want to say this: I am an Alaskan, not a summer Alaskan, either; but three years ago the question of the territorial government came up, and the newspapers began to talk about it, for they have got to have something to agitate, and I am not criticising them, either. I think, however, that the first agitation started in Seattle and that all of the platforms, as Judge Wickersham has stated—even the Republican platform—did speak of a territorial legislature which should be elected. I am not denying that. But when you come down to hold

a debate before an intelligent and a limited number of men, that is another thing, and we want to get right down to what is good and what is not good for that country. I have never said that we ought not to have ultimately an elective legislature. I view it, as I said before, just as the ebbing and the flowing of the tide, and just as sure as that you will have an elective legislative body in Alaska. I am not denying that; but I am trying to get at what is best for the moment. And I want you, gentlemen—the administration and Congress—to get behind us and help us to improve that condition up there. That is what I have stated and that is the whole thing in a nutshell.

The CHAIRMAN. Just here I want to ask you this question. This committee has very carefully considered, and is carefully considering, the question of what form of government shall be given to Alaska. It has been stated by some that we might make a part of the legislature appointive, and thereby keep a direct relation between the Federal Government and the local government of Alaska; and that we might make a part of that legislature elective, so that the members of the legislature who were elected should represent districts having practically the same limits as the judicial districts, and thereby give the people an opportunity in campaigns for the election of their legislators to have platforms, discuss issues relating to their local affairs, and so forth, and in that way apply to their legislature particularly their desires as to legislation; in other words, a body partly appointive and partly elective, with the restraining influence which you have spoken of—the regulating influence—exercised by the Federal Government through the appointive branch. What do you say about that?

Mr. SPRING. Do you mean a compromise?

The CHAIRMAN. I am not talking about a compromise, but I am putting to you that proposition. What do you think about that situation that has been spoken of in this committee?

Mr. SPRING. So far as I am concerned, I will not quarrel with any plan that you arrive at and combine on excepting one, and that is the one of doing nothing.

The CHAIRMAN. Well, I want you to discuss, if you will, the abstract question as to whether such a legislature, so elected and so appointed, would accomplish as good results for Alaska as a wholly appointive legislature or a wholly elective legislature.

Mr. SPRING. Now, I have just answered you, that I will quarrel with nothing except that of doing nothing. But to begin with, I prefer an appointive council. I think a wholly elective legislature is out of the question, because the administration will not consent to it.

Mr. WICKERSHAM. How do you know the administration won't consent to it?

Mr. SPRING. I am not absolutely certain, I have not spoken to the President about it, but I have reason to think my views are correct.

Mr. WICKERSHAM. Who have you spoken to about it?

Mr. SPRING. I can't answer here for the gentlemen with whom I talked, but I want one thing to go in the record, speaking for myself, and I think I am echoing the sentiment of conservatism in Alaska. I want to say freely that I have absolute and implicit faith that the administration intends to do nothing but that which will best develop the resources of Alaska. I have further faith that the administration

is not seeking to foist this bill upon Congress with the view of creating official positions for its own officers; but it is doing that with a view of giving Alaska the best-trained talent available to lay the groundwork for the development and the government of Alaska.

Mr. WICKERSHAM. I want to ask you some questions if you are going into that.

Mr. SPRING. I want it to be further understood that it is coming down to a question of faith in and necessity for trained talent in order to do the fundamental work and lay the foundation for Alaska. And I want to be heard upon that subject. I want to be criticised and cross-examined until doomsday upon that one proposition. I have absolute faith that the administration has no intention except to do the best it knows how for Alaska. I do not say that I would have ever advised President Taft to insist upon an appointive legislature if he had asked me. I think I would have urged the appointment of a commission, something similar to what is usually known in the new States as code commissions. Although I would have no more than one lawyer on that commission, and he should be the attorney-general of the Territory. His colleagues should be the different heads of departments.

Such a commission, with full administrative powers, sitting at fixed times and places listening to all who may be there to come before them, giving due attention to all legislative schemes which may be submitted to them, would evolve a comprehensive but well-digested code, and when such a code had once been prepared there is room for doubt as to whether any local legislation would be needed at all for years to come. But I think that we should approach this question in a more sympathetic spirit, certainly with no inclination to impugn motives.

The CHAIRMAN. We have tried to approach the whole question in a broad way and a sympathetic way and a charitable way, and with a desire to do the best thing for Alaska without any personal questions involved whatever and absolutely without bias.

Mr. GOOD. The time for adjournment has just about arrived, and I would like to say that inasmuch as the railroad bill is coming up in the House, we ought to consider the application of that proposed law to Alaska and the Hawaiian Islands and the trade between the islands.

The CHAIRMAN. A suggestion was made some days ago in this committee about incorporating a clause in the bill which would make it sure that the power of the Interstate Commerce Commission should be extended to Alaska. I spoke to the chairman of the Committee on Interstate and Foreign Commerce, and he stated to me that that would be done. I afterwards conferred with Judge Wickersham. The Judge examined the language and said that so far as the language was concerned, as I understand it, it was sufficient, but that there is on the statute books a law which gives to the Secretary of the Interior the power which might be treated as concurrent in that respect.

Mr. WICKERSHAM. No; I think it is exclusive.

The CHAIRMAN. Or exclusive, and that there ought to be something in this bill depriving the Secretary of the Interior of that power; and that he would prepare an amendment to offer for consideration when that portion of the bill was reached.

Mr. WICKERSHAM. I would be glad if the committee would let me point out that law. The interstate commerce act has not been specifically extended to Alaska, but the Hepburn Act provides that it shall extend—without quoting the exact language—to the States and Territories. The question then arises whether Alaska is a Territory or not. The Supreme Court of the United States has in three cases held that it is a Territory; that it is an organized Territory; that it is incorporated into the United States, and that it is under the Constitution, and all that; in other words, that it stands equally with Arizona and New Mexico in its constitutional and legal status. But in 1898 Congress passed a law extending the homestead laws, and providing for rights of way of railroads in the District of Alaska, and for other purposes, in the second section of which law, in the last clause, there is a provision that all charges for the transportation of freight and passengers on railroads in the District of Alaska shall be printed and posted as required by section 6 of the act to regulate commerce, as amended on March 2, 1889; and such rates shall be subject to revision and modification by the Secretary of the Interior.

Now, you will notice that law was passed long prior to the passage of the Hepburn Act in 1906.

There has recently arisen at Skagway between the Humboldt Steamship Company and the Yukon Railway Company a question as to whether or not this clause in section 2 of the act of 1898 is not still in force and effect, notwithstanding the extension of the interstate commerce laws to the Territories.

The CHAIRMAN. I should suppose that, by implication, it is repealed.

Mr. WICKERSHAM. But it is the contention now that it is not, and that is the main question in the suit now pending before the Interstate Commerce Commission. The attorneys on one side contend that that section is not repealed by implication, and those on the other side contend that it is. I understand from rumor that the Interstate Commerce Commission will hold that it is not.

Now, if you have been reading the evidence in the Ballinger-Pinchot investigation, you will have noticed that two letters were put in the record; one written by Mr. Pierce and another by the law officer of the Department of the Interior, upon this particular point, both of them holding that the Secretary of the Interior has no jurisdiction over Alaska under that provision. Now, at the same time, the chairman of the Interstate Commerce Commission appeared before the Committee on Interstate and Foreign Commerce of the House and testified that the commission had no jurisdiction in Alaska; so, within the same week there are official statements from the Interior Department and from the Interstate Commerce Commission, both of them announcing that they have no jurisdiction over Alaska.

The CHAIRMAN. Can you quote the language of the bills reported by the Committee on Interstate and Foreign Commerce?

Mr. WICKERSHAM. No; but so far as the extension to Alaska is concerned, it is sufficient to extend the law there, because it extends it to all States and Territories and Districts of the United States.

Mr. GOOD. I think it would be well to incorporate in the record the extracts from those letters from the Interior Department and the testimony from the Interstate Commerce Commission.

Mr. WICKERSHAM. Yes, I would be glad to do that. Day before yesterday I wrote to Senator Jones, of Washington, a carefully prepared letter upon the question, setting out the defects of the situation, and suggesting to him an amendment of the railroad bill which would certainly have the effect of repealing this section and extending the interstate-commerce laws to Alaska.

The CHAIRMAN. You will give that matter consideration when that part of the bill is reached in the House, will you not? You might introduce that amendment.

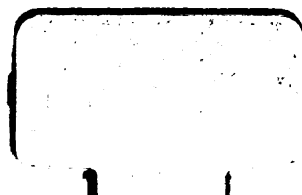
Mr. WICKERSHAM. I will be glad to do that, of course. I will have it prepared and introduce it. The chairman of the Committee on Interstate and Foreign Commerce of the House tells me that he thinks that the law is broad enough to extend the interstate commerce laws to Alaska, and I think he is correct about that, but the clause imposing the power of modification on the Secretary of the Interior ought to be repealed.

The CHAIRMAN. Now, Mr. Spring, do you desire to say anything further?

Mr. McKINNEY. Yes, do you feel satisfied with the statement that you have made?

Mr. SPRING. I feel satisfied with the preface. In other words, if you gentlemen agree with me that the time has arrived when something definite should be done for Alaska, I feel satisfied that I have nothing more to say to you, because you will have to thrash it out in some shape or manner. But in whichever way you do it, we want help. But if you say, "Oh, well, these people come here, and one says one thing and one another," then we will have simply the same thing that we have had in the last three or four years, and that is—nothing.

(Adjourned at 12.15 p. m.)



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